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LEGISLATIVE HISTORY

Public Law 228—77th Congress

Chapter 377—1st Session

H. R. 4911

TABLE OF CONTENTS

Digest of Public Law 228	1
Index and Summary of History on H. R. 4911	1

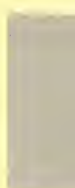
DIGEST OF PUBLIC LAW 228

FLOOD CONTROL AUTHORIZATION. Authorizes appropriation of \$5,000,000 additional to this Department for flood control works and improvements which the Department is not otherwise authorized to undertake, and authorizes appropriation of \$10,000,000 additional to be used in equal amounts by the Departments of War and Agriculture for flood control examinations and surveys.

INDEX AND SUMMARY OF HISTORY ON H. R. 4911

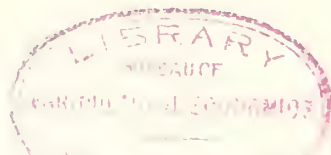
April 21, 1941	Hearings: House, H. R. 4911.
May 29, 1941	H. R. 4911 was introduced by Rep. Whittington and was referred to the House Committee on Flood Control. Print of the bill as introduced.
June 9, 1941	House Committee reported H. R. 4911 without amendment. House Report 759. Print of the bill as reported.
June 13, 1941	H. Res. 234 was reported by the House Rules Committee for the consideration of H. R. 4911. House Rept. 770.
June 20, 1941	H. R. 4911 debated in the House and passed with amendments.
June 23, 1941	H. R. 4911 was referred to the Senate Committee on Commerce. Print of the bill as referred.
July 15, 1941	Hearings: Senate, H. R. 4911.
July 24, 1941	Senate Committee reported H. R. 4911 with amendments. Senate Report 575. Print of the bill as reported.
July 28, 1941	H. R. 4911 debated in the Senate and passed with amendments.
	Senate Conferees appointed.
	Print of H. R. 4911 with the amendments of the Senate numbered.
August 1, 1941	Conference Report submitted in the House. H. Rept. 1104.
August 5, 1941	House and Senate agreed to the Conference Report.
August 18, 1941	Approved. Public Law 228.

0109 1-9



77TH CONGRESS
1ST SESSION

H. R. 4911



IN THE HOUSE OF REPRESENTATIVES

MAY 29, 1941

Mr. WHITTINGTON introduced the following bill: which was referred to the
Committee on Flood Control

A BILL

Authorizing the construction of certain public works on rivers and
harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That hereafter Federal investigations and improvements of
4 rivers and other waterways for flood control and allied pur-
5 poses shall be under the jurisdiction of and shall be prose-
6 cuted by the War Department under the direction of the
7 Secretary of War and supervision of the Chief of Engineers,
8 and Federal investigations of watersheds and measures for
9 run-off and waterflow retardation and soil-erosion prevention
10 on watersheds shall be under the jurisdiction of and shall be
11 prosecuted by the Department of Agriculture under the



1 direction of the Secretary of Agriculture, except as other-
2 wise provided by Act of Congress.

3 SEC. 2. That section 3 of the Act approved June 22,
4 1936 (Public, Numbered 738, Seventy-fourth Congress),
5 as amended by section 2 of the Act approved June 28, 1938
6 (Public, Numbered 761, Seventy-fifth Congress), shall apply
7 to all works authorized in this Act, except that for any
8 channel improvement or channel rectification project provi-
9 sions (a), (b), and (c) of section 3 of said Act of June
10 22, 1936, shall apply thereto, and except as otherwise
11 provided by law: *Provided*, That the third proviso of section
12 1 of the Flood Control Act approved August 28, 1937
13 (Public, Numbered 406, 75th Congress) and all of section
14 8 of the Flood Control Act approved August 11, 1939,
15 (Public, Numbered 396, 76th Congress) are hereby re-
16 pealed: *Provided further*, That the authorization for any
17 flood-control project heretofore or herein adopted requiring
18 local cooperation shall expire five years from the date of
19 approval of this Act unless local interests shall within
20 said time furnish assurances satisfactory to the Secretary of
21 War that the required cooperation will be furnished: *And*
22 *provided further*, That in any case where the total authoriza-
23 tion for a project heretofore or hereafter authorized by Con-
24 gress is not sufficient to complete plans that may have been
25 made the Chief of Engineers is authorized in his discretion to

1 plan and make expenditures on preparations for the project.
2 such as the purchase of lands, easements, and rights-of-way;
3 readjustments of roads, railroads, and other utilities; removal
4 of towns, cemeteries, and dwellings from reservoir sites: and
5 the construction of foundations. The Chief of Engineers is
6 also authorized in his discretion to modify the plan for any
7 dam or other work heretofore or hereafter authorized so that
8 such dam or work will be smaller than originally planned
9 with a view to completing a useful improvement within an
10 authorization: *Provided*, That the smaller structure shall be
11 located on the chosen site so that it will be feasible at some
12 future time to enlarge the work in order to permit the full
13 utilization of the site for all purposes of conservation such as
14 flood control, navigation, reclamation, the development of
15 hydroelectric power, and the abatement of pollution.

16 SEC. 3. That the following works of improvement for
17 the benefit of navigation and the control of destructive flood-
18 waters and other purposes are hereby adopted and author-
19 ized in the interest of national security and the stabilization
20 of employment, and shall be prosecuted as speedily as may
21 be consistent with budgetary requirements, under the direc-
22 tion of the Secretary of War and the supervision of the Chief
23 of Engineers in accordance with the plans in the respective
24 reports hereinafter designated and subject to the conditions
25 set forth therein: *Provided*, That penstocks or other similar

1 facilities adapted to possible future use in the development
2 of hydroelectric power shall be installed in any dam herein
3 authorized when approved by the Secretary of War upon
4 the recommendation of the Chief of Engineers and of the
5 Federal Power Commission:

6 CONNECTICUT RIVER BASIN

7 In addition to previous authorizations, there is hereby
8 authorized to be appropriated the sum of \$6,000,000 for
9 local protection works and \$10,000,000 for reservoirs for the
10 prosecution of the comprehensive plan approved in the Act
11 of June 28, 1938, for the Connecticut River Basin, and such
12 comprehensive plan is hereby modified to include the works
13 recommended by the Chief of Engineers in House Document
14 Numbered 653, Seventy-sixth Congress, third session, and
15 House Document Numbered 724, Seventy-sixth Congress,
16 third session, with such further modifications as may be found
17 justifiable in the discretion of the Secretary of War and the
18 Chief of Engineers.

19 The Secretary of War is authorized to reimburse the
20 city of Hartford, Connecticut, the sum of \$252,000 hereto-
21 fore contributed to the United States by said city for the
22 realignment of the South Meadows section of the flood-
23 protection works in accordance with the plans contained
24 in House Document Numbered 653, Seventy-sixth Congress,
25 third session: *Provided*, That there shall be deducted from

1 the aforementioned sum any reimbursement which may be
2 made to said city pursuant to the provisions of section 1 of
3 the War Department Civil Appropriation Act, 1938,
4 approved July 19, 1937.

5 THAMES RIVER BASIN

6 The plan for a system of reservoirs and channel im-
7 provements in the Thames River Basin, Connecticut, Rhode
8 Island, and Massachusetts, in accordance with the recommen-
9 dation of the Chief of Engineers in House Document Num-
10 bered 885, Seventy-sixth Congress, third session, is ap-
11 proved, and there is hereby authorized \$6,000,000 for
12 initiation and partial accomplishment of the project.

13 PAWTUXET RIVER BASIN

14 The project for local flood protection on the North
15 Branch of Pawtuxet River at Clyde, Rhode Island, and for
16 the Pontiac diversion is hereby authorized to be constructed
17 substantially in accordance with the recommendation of the
18 Chief of Engineers in House Document Numbered 747,
19 Seventy-sixth Congress, third session, at an estimated cost
20 of \$1,320,000.

21 HUDSON RIVER BASIN

22 The projects adopted by the Act of June 22, 1936, to
23 provide for local flood-protection works in the Hoosic River
24 Basin at North Adams in Massachusetts; at Hoosick Falls,
25 New York, and at Bennington, Vermont, are hereby modi-

1 fied and extended to include the town of Adams, Massa-
2 chusetts, in accordance with the recommendation of the Chief
3 of Engineers in House Document Numbered 182, Seventy-
4 sixth Congress, first session, and are authorized to be con-
5 structed substantially in accordance with said recommenda-
6 tion at an estimated cost of \$2,170,000.

7

LAKE CHAMPLAIN BASIN

8 The project for local flood protection on the Winooski
9 River at Waterbury, Vermont, is hereby authorized to be
10 constructed substantially in accordance with the recommenda-
11 tion of the Chief of Engineers in House Document Num-
12 bered 656, Seventy-sixth Congress, third session, at an
13 estimated cost of \$880,000.

14 The project adopted by the Act of June 22, 1936, to
15 provide for local flood-protection works on Otter Creek at
16 Rutland, Vermont, is hereby modified in accordance with the
17 recommendation of the Chief of Engineers in Senate Docu-
18 ment Numbered 171, Seventy-sixth Congress, third session,
19 and is authorized to be constructed substantially in accord-
20 ance with said recommendation at an estimated cost of
21 \$308,000.

22

OSWEGO RIVER BASIN

23 The projects for flood control and other purposes at
24 Canandaigua, Keuka, and Owasco Lakes, and at Hammonds-
25 port, Watkins Glen, Montour Falls, Ithaca, and Syracuse,

1 New York, are hereby authorized to be constructed substan-
2 tially in accordance with the recommendation of the Chief
3 of Engineers in House Document Numbered 846, Seventy-
4 sixth Congress, third session, at an estimated cost of
5 \$3,220,000.

6 SUSQUEHANNA RIVER BASIN

7 The project adopted by the Act of June 22, 1936,
8 to provide for local flood-protection works on the Susque-
9 hanna River at Sunbury, Pennsylvania, is hereby modified
10 in accordance with the recommendation of the Chief of
11 Engineers in House Document Numbered 366, Seventy-
12 sixth Congress, first session, and is authorized to be con-
13 structed substantially in accordance with said recommenda-
14 tion at an estimated cost of \$1,900,000.

15 DELAWARE RIVER BASIN

16 The project for local flood protection on Rancocas Creek
17 in the vicinity of Mount Holly, New Jersey, is hereby au-
18 thorized to be constructed substantially in accordance with
19 the recommendation of the Chief of Engineers in House
20 Document Numbered 128, Seventy-seventh Congress, first
21 session, at an estimated cost of \$300,000.

22 MOBILE RIVER BASIN

23 The project for local flood protection at Prattville,
24 Alabama, on Autauga Creek, a tributary of the Alabama-
25 Coosa River, is hereby authorized to be constructed sub-

stantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 657, Seventy-sixth Congress, third session, at an estimated cost of \$530,000.

The plan for the Allatoona Reservoir on the Etowah River in the Coosa River Basin, Georgia, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document Numbered 674, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$3,000,000 for initiation and partial accomplishment of the project.

The project for flood control on the Tombigbee River authorized by the Act of June 22, 1936, is hereby modified to provide for additional channel improvements and related works for flood control for the Tombigbee River and tributaries above the mouth of and including the Noxubee River in accordance with plans approved by the Chief of Engineers at an estimated cost of \$150,000.

COLORADO RIVER BASIN (TEXAS)

The plan for improvement of the Lower Colorado River, Texas, for flood control in accordance with the recommendation of the Chief of Engineers in House Document Numbered 312, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$6,500,000 for the construction of the project.

The plan for San Angelo Reservoir for flood control and other purposes on the North Concho River, Texas, and for local flood-protection works at San Angelo, Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 315, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$2,000,000 for initiation and partial accomplishment of the project.

The plan for Hords Creek Reservoir and for enlargement of the existing Lake Brownwood Reservoir for flood control and other purposes on Pecan Bayou and its tributaries in Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 370, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$1,400,000 for initiation and partial accomplishment of the project, including \$460,000 for the Hords Creek Reservoir.

The project for local flood protection on Brady Creek at Brady, Texas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 441, Seventy-sixth Congress, first session, at an estimated cost of \$825,000.

BRAZOS RIVER BASIN

The plan for Whitney Reservoir on the Brazos River in Texas, for flood control and other purposes in accordance

1 with the recommendation of the Chief of Engineers in House
2 Document Numbered 390, Seventy-sixth Congress, first
3 session, is approved and there is hereby authorized \$5,000,-
4 000 for the initiation and partial accomplishment of the
5 project.

6 LOWER MISSISSIPPI RIVER

7 The project for flood control of the Lower Mississippi
8 River adopted by the Act of May 15, 1928, as amended by
9 the Act of June 15, 1936, as amended by the Acts of
10 August 28, 1937, and June 28, 1938, is hereby modified
11 and, as modified, is hereby authorized and adopted, and
12 the Flood Control Act of June 15, 1936, as amended, is
13 amended as follows:

14 (a) The existing engineering plan for flood control in
15 the alluvial valley of the Mississippi River is hereby modified
16 so as to provide for the construction of plan 4 as set forth
17 in the report of the Mississippi River Commission, dated
18 March 7, 1941, to the Chief of Engineers, except that the
19 levees in the Yazoo Basin on the east bank of the Mississippi
20 River south of the Coahoma-Bolivar County line in said
21 plan shall have a three-foot freeboard over the project flood,
22 and all levees shall be constructed with adequate section and
23 foundation to conform to increased levee heights. The Boeuf
24 Floodway in the project adopted by the Act of May 15,
25 1928, and the Eudora Floodway as well as the Northward

1 Extension and the back protection levee extending from the
2 head of the said Eudora Floodway north to the Arkansas
3 River in the project adopted by the Act of June 15, 1936,
4 as amended, are hereby abandoned, and the provisions of
5 said Acts relating to the prosecution of work on said flood-
6 ways and extension are hereby repealed.

7 (b) The project for flood control of the Yazoo River
8 shall be as authorized by the Flood Control Act approved
9 June 15, 1936, as amended by section 2 of the Act ap-
10 proved June 28, 1938, except that the Chief of Engineers
11 may, in his discretion, from time to time, substitute therefor
12 combinations of reservoirs, levees, and channel improve-
13 ments; and except that the improvements contemplated in
14 plan C of the report of March 7, 1941, of the Mississippi
15 River Commission are authorized, including the extension of
16 the levee on the east bank of the Mississippi River generally
17 along the west bank of the Yazoo River to a connection in
18 the vicinity of Yazoo City with the Yazoo River levee,
19 authorized by the existing project for protection against
20 headwater floods of the Yazoo River system, and the adjust-
21 ment in the discretion of the Chief of Engineers of the grades
22 of the existing levees in the backwater area on the east
23 bank of Yazoo River below Yazoo City, all at an estimated
24 additional cost of \$11,982,000: *Provided*, That the Chief
25 of Engineers shall fix the grade of the extension levees along

1 the Yazoo River, with higher levees in his discretion, so
2 that their construction will give the maximum praetieal
3 protection without jeopardizing the safety and integrity of
4 the main Mississippi River levees: *And provided further,*
5 That prior to the beginning of construction local authorities
6 shall furnish satisfactory assurances that they will (1) main-
7 tain the levees in aecordancee with the provisions of section 3
8 of the Act of May 15, 1928, and will (2) not raise the
9 levees in the baekwater above the limiting elevations estab-
10 lished therefor by the Chief of Engineers.

11 (e) The eonstruction of a levee and improvements eon-
12 templated in the report of Mareh 7, 1941, of the Mississippi
13 River Commission from the main-line levee on the west bank
14 of the Mississippi River in the vieinity of Shaw, Louisiana,
15 westward and northward to the vicinity of Newlight,
16 Louisiana, for the proteetion of that part of the Red River
17 baekwater known as the Tensas-Coeodrie area at an esti-
18 mated eost of \$6,976,000 is hereby authorized: *Provided,*
19 That the Chief of Engineers shall fix the grade of said
20 levee, with a higher levee in his discretion, so that its eon-
21 struction will give the maximum praetieal proteetion without
22 jeopardizing the safety and integrity of the main Mississippi
23 River levees: *And provided further,* That prior to the begin-
24 ning of construction local authorities shall furnish satisfactory
25 assurances that they will (1) maintain the levee in aecord-

1 ance with the provisions of section 3 of the Act of May 15,
2 1928, and will (2) not raise the said levee above the limiting
3 elevations established therefor by the Chief of Engineers.

4 (d) The Chief of Engineers, with approval of the Sec-
5 retary of War, shall reimburse local authorities for actual
6 expenditures found by the Chief of Engineers to be reason-
7 able, for providing at the request of the United States, in
8 accordance with local legal procedure or custom, rights-of-
9 way and flowage easements required for future setbacks of
10 main-line Mississippi River levees.

11 (e) The existing engineering plan for flood control of
12 the Saint Francis River is hereby modified so as to permit
13 the substitution for the suspended portions of the original
14 project below Oak Donnick, Arkansas, of the construction
15 of a ditch in Cross County, Arkansas, beginning in the vicin-
16 ity of the outlet end of the existing Oak Donnick to Saint
17 Francis Bay floodway and terminating in Saint Francis Bay
18 about two miles north of Riverfront, including the construc-
19 tion of a highway bridge at State Highway Numbered 42
20 made necessary by the ditch construction: *Provided*, That
21 local interests give assurances satisfactory to the Secretary
22 of War that they will (1) provide without cost to the United
23 States all lands, easements, and rights-of-way necessary for
24 the construction; (2) hold and save the United States free
25 from damages due to the construction works; and (3) main-

1 tain the works after completion in accordance with regula-
2 tions prescribed by the Secretary of War.

3 (f) The total authorizations heretofore made for the
4 flood control project of the alluvial valley of the Mississippi
5 River shall not be increased by reason of any provision in
6 this Act, except for the additional amounts necessary for the
7 Yazoo and Red River backwater improvements, and any
8 appropriations heretofore or hereafter made or authorized for
9 said project as herein or heretofore modified may be ex-
10 pended upon any feature of the said project, notwithstanding
11 any restrictions, limitations, or requirements of existing law:
12 *Provided*, That funds hereafter expended for maintenance
13 shall not be considered as reducing present remaining bal-
14 ances of authorizations.

15 The project for flood control on the Homochitto River
16 in Mississippi, authorized by the Act of June 22, 1936
17 (Public, Numbered 738, Seventy-fourth Congress), and
18 modified by the Act of June 28, 1938 (Public, Numbered
19 761, Seventy-fifth Congress), is hereby further modified to
20 provide for additional channel improvements and related
21 works for flood control on the Homochitto River and tribu-
22 taries in accordance with plans approved by the Chief of
23 Engineers, and for the execution of these plans there is hereby
24 authorized \$50,000.

RED-OUACHITA RIVER BASIN

The project for local flood protection on the Ouachita River near Calion, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 427, Seventy-sixth Congress, first session, at an estimated cost of \$50,000.

The project for local protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby amended to add and authorize the following: Levee enlargement, new levee extension, and the construction of appurtenant drainage structures on the left bank of the Red River opposite Alexandria for the protection of Pineville, Louisiana, and vicinity, at an estimated cost to the United States of \$159,100, subject to the provisions of section 3 of the Act approved June 22, 1936.

The project for local flood protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby further amended to include and to authorize the following: Levees and appurtenant drainage works on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette, and the separation of

1 the channels of Bayous Darrow and Rigolette in the Aloha-
2 Rigolette area, Grant and Rapides Parish, Louisiana, all at
3 an estimated cost to the United States of \$914,500, subject
4 to the provisions of section 3 of the Flood Control Act
5 approved June 22, 1936.

6 The plan for the Narrows Reservoir for flood control
7 and other purposes on the Little Missouri River, Arkansas,
8 and for local flood protection on the main river below Mur-
9 freesboro and on the Terre Noire and Ozan Creeks, sub-
10 stantially in accordance with recommendation of the Chief
11 of Engineers in House Document Numbered 837, Seventy-
12 sixth Congress, third session, is approved and there is hereby
13 authorized \$3,000,000 for initiation and partial accomplish-
14 ment of the project.

15 WHITE RIVER BASIN

16 In addition to previous authorizations, there is hereby
17 authorized to be appropriated the sum of \$24,000,000 for
18 the prosecution of the comprehensive plan approved in the
19 Act of June 28, 1938, for the White River Basin in Missouri
20 and Arkansas, including the projects for flood control and
21 other purposes recommended by the Chief of Engineers in
22 House Document Numbered 917, Seventy-sixth Congress,
23 third session, and the modifications in the Norfolk Reservoir
24 project recommended by the Chief of Engineers.

25 The projects for local flood protection on the White

1 River, on the east side between Augusta and Clarendon,
2 Arkansas, and at the town of De Valls Bluff, Arkansas, are
3 hereby authorized to be constructed substantially in accord-
4 ance with the recommendation of the Chief of Engineers in
5 House Document Numbered 98, Seventy-sixth Congress,
6 first session, at an estimated cost of \$2,847,500.

7 ARKANSAS RIVER BASIN

8 The general comprehensive plan for flood control and
9 other purposes, approved by the Act of June 28, 1938, for
10 the Arkansas River Basin, is hereby modified to include the
11 reservoirs in the Grand (Neosho) River Basin in Oklahoma
12 and Missouri, and in the Verdigris River Basin in Kansas,
13 in accordance with the recommendations of the Chief of
14 Engineers in House Documents Numbered 107 and 440 of
15 the Seventy-sixth Congress, first session. In addition to
16 previous authorizations, there is hereby authorized to be
17 appropriated the sum of \$29,000,000 for the prosecution of
18 said comprehensive plan.

19 The project for local flood protection on the Salt Fork
20 of the Arkansas River in the vicinity of Cherokee, Oklahoma,
21 is hereby authorized to be constructed substantially in ac-
22 cordance with the recommendation of the Chief of Engineers
23 in House Document Numbered 480, Seventy-sixth Congress,
24 second session, at an estimated cost of \$800,000.

25 The project for local flood protection along the south

1 bank of the Arkansas River between Little Rock and Pine
2 Bluff, Arkansas, is hereby authorized to be constructed sub-
3 stantially in accordance with the recommendation of the
4 Chief of Engineers in House Document Numbered 718,
5 Seventy-sixth Congress, third session, at an estimated cost
6 of \$641,000, with such modifications as may be advisable
7 in the discretion of the Secretary of War and the Chief of
8 Engineers.

9 The project for local flood protection along the north
10 bank of the Arkansas River in the Crawford County Levee
11 District, Arkansas, is hereby authorized to be constructed
12 substantially in accordance with the recommendation of the
13 Chief of Engineers in House Document Numbered 720,
14 Seventy-sixth Congress, third session, at an estimated cost
15 of \$284,000.

16 The project for local flood protection on both sides of
17 the Arkansas River in the immediate vicinity of Tulsa and
18 West Tulsa, Oklahoma, is hereby authorized to be con-
19 structed substantially in accordance with the recommendation
20 of the Chief of Engineers in House Document Numbered
21 157, Seventy-seventh Congress, first session, at an estimated
22 cost of \$513,000.

23

OHIO RIVER BASIN

24 In addition to previous authorizations, there is hereby
25 authorized to be appropriated the sum of \$45,000,000 for

1 the prosecution of the comprehensive plan approved in the
2 Act of June 28, 1938, for the Ohio River Basin, modified to
3 include the Allegheny Reservoir project in accordance with
4 the recommendation of the Chief of Engineers in House
5 Document Numbered 300, Seventy-sixth Congress, first
6 session.

7 TENNESSEE RIVER BASIN

8 The projects for local flood protection on the Tennessee
9 River at Chattanooga, Tennessee, and Rossville, Georgia, are
10 hereby authorized to be constructed substantially in accord-
11 ance with the recommendation of the Chief of Engineers
12 in House Document Numbered 479, Seventy-sixth Congress,
13 second session, at an estimated cost of \$13,500,000.

14 UPPER MISSISSIPPI RIVER BASIN

15 The project adopted by the Act of June 22, 1936, for
16 the Dry Run Reservoir near Decorah, Iowa, is hereby modi-
17 fied to authorize the Chief of Engineers to modify the project
18 so as to provide protection by diversion of floodwaters in
19 accordance with revised plans now on file in his office, at
20 an estimated Federal cost of \$460,000.

21 SEBEWAING RIVER

22 The project for local flood protection on the Sebewaing
23 River in the vicinity of Sebewaing, Michigan, is hereby
24 authorized to be constructed substantially in accordance with
25 the recommendation of the Chief of Engineers in House

1 Document Numbered 286, Seventy-sixth Congress, first ses-
2 sion, at an estimated cost of \$250,000.

3 MISSOURI RIVER BASIN

4 In addition to previous authorizations, there is hereby
5 authorized to be appropriated the sum of \$7,000,000 for the
6 prosecution of the comprehensive plan approved in the Act
7 of June 28, 1938, for the Missouri River Basin, including
8 the project for the Harlan County Reservoir on the Repub-
9 lican River, Nebraska, recommended by the Chief of En-
10 gineers in House Document Numbered 842, Seventy-sixth
11 Congress, third session, and such other supplemental flood-
12 control works on the Republican River as the Secretary of
13 War and the Chief of Engineers may find advisable.

14 The comprehensive plan for the improvement of Cherry
15 Creek and tributaries, Colorado, for flood control and other
16 purposes in accordance with the recommendations of the
17 Chief of Engineers in House Document Numbered 426,
18 Seventy-sixth Congress, first session, is approved and there
19 is hereby authorized \$3,000,000 for the initiation and partial
20 accomplishment of the project.

21 The project for local flood protection on the Platte River
22 in the vicinity of Schuyler, Nebraska, is hereby authorized
23 to be constructed substantially in accordance with the recom-
24 mendation of the Chief of Engineers in House Document

1 Numbered 250, Seventy-sixth Congress, first session, at an
2 estimated cost of \$63,000.

3 The project for local flood protection on the Missouri
4 River and Indian Creek at Council Bluffs, Iowa, is hereby
5 authorized to be constructed substantially in accordance with
6 the recommendation of the Chief of Engineers in House
7 Document Numbered 577, Seventy-sixth Congress, third
8 session, at an estimated cost of \$18,000.

9 The project for the improvement of Fall River and
10 tributaries, South Dakota, for flood control is hereby author-
11 ized to be constructed substantially in accordance with the
12 recommendation of the Chief of Engineers in House Docu-
13 ment Numbered 655, Seventy-sixth Congress, third session,
14 at an estimated cost of \$1,050,000.

15 The project for flood protection in the vicinity of Sioux
16 City, Iowa, and along both banks of the Missouri River be-
17 tween Sioux City and Kansas City for flood control in ac-
18 cordance with the recommendation of the Chief of Engineers
19 in House Document Numbered 821, Seventy-sixth Congress,
20 third session, is approved and there is hereby authorized
21 \$1,000,000 for the initiation and partial accomplishment
22 thereof.

23 The project adopted by the Act of June 22, 1936, to
24 provide flood protection of the Kansas Citys, Kansas and

1 Missouri, is hereby modified to include cut-offs in the vicinity
2 of Liberty Bend substantially in accordance with the recom-
3 mendation of the Chief of Engineers in House Document
4 Numbered 722, Seventy-sixth Congress, third session.

5 SANTA ANA RIVER BASIN

6 In addition to previous authorizations, there is hereby
7 authorized to be appropriated the sum of \$2,500,000 for
8 the prosecution of the projects approved in the Acts of June
9 22, 1936, and June 28, 1938, for flood control in the Santa
10 Ana River Basin and for the protection of Orange County in
11 California.

12 LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA
13 CREEK

14 The general comprehensive plan for flood control and
15 other purposes in the basins of the Los Angeles and San
16 Gabriel Rivers and Ballona Creek as set forth in House
17 Document Numbered 838, Seventy-sixth Congress, third
18 session, is approved, and in addition to previous authoriza-
19 tions there is hereby authorized \$25,000,000 for the partial
20 accomplishment of that plan.

21 SACRAMENTO-SAN JOAQUIN RIVER BASIN

22 The projects for the control of floods and other pur-
23 poses in the Sacramento River, California, adopted by the
24 Acts approved March 1, 1917, May 15, 1928, and August
25 26, 1937, are hereby modified substantially in accordance

1 with the recommendation of the Chief of Engineers in House
2 Document Numbered 205, Seventy-seventh Congress, first
3 session, at an estimated cost of \$10,500,000, and also modi-
4 fied to provide for channel clearing, rectification, snagging,
5 and bank protection on the Sacramento River and tribu-
6 taries in Tehama County, and from Red Bluff southerly,
7 at an additional estimated cost of \$150,000.

8 The project for the Fresno County Stream Group for
9 flood control is hereby authorized to be constructed sub-
10 stantially in accordance with the recommendations of the
11 Chief of Engineers in House Document Numbered 845,
12 Seventy-sixth Congress, third session, at an estimated cost
13 of \$510,000.

14 UMPQUA RIVER BASIN

15 The project for improvement of the Umpqua River in
16 Oregon for flood control is hereby authorized to be con-
17 structed substantially in accordance with the recommenda-
18 tion of the Chief of Engineers in House Document Numbered
19 684, Seventy-sixth Congress, third session, at an estimated
20 cost of \$176,000.

21 WILLAMETTE RIVER BASIN

22 In addition to previous authorizations, there is hereby
23 authorized to be appropriated the sum of \$11,000,000 for
24 the prosecution of the comprehensive plan approved in the

1 Act of June 28, 1938, for the Willamette River Basin in
2 Oregon.

3 The project for improvement of the Pudding River in
4 Oregon for flood control is hereby authorized to be con-
5 structed substantially in accordance with the recommenda-
6 tion of the Chief of Engineers in Senate Document Num-
7 bered 185, Seventy-sixth Congress, third session, at an
8 estimated cost of \$62,000.

9 COLUMBIA RIVER BASIN

10 The project for local flood protection on the Touchet
11 River at Dayton, Washington, is hereby authorized to be
12 constructed substantially in accordance with the recom-
13 mendation of the Chief of Engineers in House Document
14 Numbered 662, Seventy-sixth Congress, third session, at an
15 estimated cost of \$146,000.

16 The project for levees, channel enlargement, and channel
17 rectification on Walla Walla River in the vicinity of Milton
18 and Freewater, Oregon, is hereby authorized to be constructed
19 substantially in accordance with the recommendation of the
20 Chief of Engineers in House Document Numbered 719,
21 Seventy-sixth Congress, third session, and the project for the
22 protection of the city of Walla Walla, Washington, author-
23 ized by the Act approved June 28, 1938, is hereby modified
24 in accordance with the recommendations of the Chief of

1 Engineers, in House Document Numbered 719, Seventy-
2 sixth Congress, third session, at an estimated cost of \$754,000.

3 The project for levees on the Cowlitz River, Washing-
4 ton, for local flood protection at Castle Rock, Washington, is
5 hereby authorized to be constructed substantially in accord-
6 ance with the recommendation of the Chief of Engineers in
7 House Document Numbered 721, Seventy-sixth Congress,
8 third session, at an estimated cost of \$31,000.

9 SEC. 4. The Secretary of War is hereby authorized and
10 directed to cause preliminary examinations and surveys for
11 flood control, including floods aggravated by or due to tidal
12 effect at the following-named localities, and the Secretary of
13 Agriculture is authorized and directed to cause preliminary
14 examinations and surveys for run-off and water-flow retarda-
15 tion and soil-erosion prevention on the watersheds of such
16 localities; the cost thereof to be paid from appropriations
17 heretofore or hereafter made for such purposes: *Provided*,
18 That no preliminary examination, survey, project, or esti-
19 mate for new works other than those designated in this or
20 some prior Act or joint resolution shall be made: *Provided*
21 *further*, That after the regular or formal reports made as
22 hereby authorized on any examination, survey, project, or
23 work under way or proposed are submitted to Congress, no
24 supplemental or additional report or estimate shall be made

1 unless authorized by law or by resolution of the Committee
2 on Flood Control of the House of Representatives or the
3 Committee on Commerce of the Senate: *And provided*
4 *further*, That the Government shall not be deemed to have
5 entered upon any project for the improvement of any water-
6 way mentioned in this Act until the project for the proposed
7 work shall have been adopted by law :

8 Byram River and tributaries, Connecticut.

9 Blind Brook and tributaries, New York.

10 Mamaroneck and Sheldrake Rivers and their tributaries,
11 New York.

12 Bronx River and tributaries, New York.

13 Hutchinson River and tributaries, New York.

14 Saw Mill River and tributaries, New York.

15 Garden Creek, Mathews County, Virginia.

16 Indian River, Upper Saint Johns River and Marsh, and
17 North Fork, Saint Lucie River, and their tributaries, Florida.

18 Rio Grande and tributaries, New Mexico.

19 Mimbres River and tributaries, New Mexico.

20 Pearl River, Mississippi.

21 Lake Pontchartrain, Louisiana, from the Orleans-Jeffers-
22 son Parish line westward and northward to the vicinity of
23 Frenier.

24 Black River, Catahoula and Concordia Parishes, Louisi-
25 ana.

1 Dogy and Clear Creeks, tributaries of the Arkansas
2 River, Oklahoma.

3 Salt Creek of the Arkansas River and tributaries, Osage
4 County, Oklahoma.

5 Red River of the North Drainage Basin, Minnesota,
6 South Dakota, and North Dakota.

7 Inlets and outlets to Lake Hendricks, South Dakota and
8 Minnesota.

9 North Fork and South Fork of the Shoshone River and
10 their tributaries, Wyoming.

11 Emery River and tributaries, Tennessee.

12 Redstone Creek and tributaries, Pennsylvania.

13 West Fork River and tributaries, West Virginia, with a
14 view to determining the advisability of constructing a system
15 of multiple-use reservoirs.

16 Milwaukee River and tributaries, Wisconsin.

17 Little Black River and tributaries, Michigan.

18 Sturgeon and Otter Rivers, and their tributaries, Mich-
19 igan.

20 Cuyahoga River and tributaries, Ohio.

21 Big Sur River and Carmel River, and their tributaries,
22 Monterey County, California.

23 Laguna Canyon, California.

24 All streams in San Diego County, California, flowing
25 into the Pacific Ocean.

- 1 Coyote River and tributaries, California.
- 2 San Francisquito Creek, San Mateo and Santa Clara
- 3 Counties, California.
- 4 Alhambra Creek and tributaries, California.
- 5 Matadero Creek, Santa Clara County, California.
- 6 Petaluma Creek and tributaries, Sonoma County, Cali-
- 7 fornia.
- 8 Guadalupe River and tributaries, California.
- 9 Silvies River and tributaries, Oregon.
- 10 Columbia River and tributaries, Washington, from the
- 11 downstream point of Vancouver Lake to upstream point of
- 12 Bachelor Island.
- 13 Salmon Creek, in the vicinity of Juneau, Alaska.
- 14 Yaguez, Estero, Portuguez, Bucana, Lapa, Guamani,
- 15 Chico, Maunabo, Quebrada Arena, and Susua Rivers, and
- 16 tributaries, Puerto Rico.
- 17 Creque Gut and Fair Plain Gut and their tributaries,
- 18 Island of Saint Croix, and of Turpentine Run, and Crown
- 19 Mountain water courses and their tributaries, Island of Saint
- 20 Thomas, Virgin Islands.
- 21 SEC. 5. That the Secretary of War is hereby authorized
- 22 to allot, from any appropriations heretofore or hereafter made
- 23 for flood control, not to exceed \$1,000,000 for any one fiscal
- 24 year to be expended in rescue work or in the repair or main-

1 tenance of any flood-control work threatened or destroyed
2 by flood.

3 SEC. 6. That the provisions of the following Acts of
4 Congress relating to river and harbor improvements are
5 hereby made applicable to works of flood control heretofore
6 or hereafter authorized: August 8, 1917, section 9 (40 Stat.
7 267) ; July 18, 1918, sections 5 and 6 (40 Stat. 911) ; and
8 August 30, 1935, section 7 (49 Stat. 1048) .

9 SEC. 7. Section 5 of the Act approved June 28, 1938
10 (52 Stat. 1215), is amended by striking out the words "in
11 carrying out the purposes of this Act" and inserting in lieu
12 thereof the words "in carrying out the purposes of the Act
13 of June 22, 1936 (49 Stat. 1570) , as amended and supple-
14 mented"; and by adding at the end of said section the follow-
15 ing sentence: "The provisions of this section shall be
16 applicable to any funds heretofore appropriated for the
17 prosecution by the Secretary of Agriculture of works of im-
18 provement for measures of run-off and waterflow retardation
19 and soil-erosion prevention upon watersheds."

20 SEC. 8. That the sum of \$260,000,000 is hereby author-
21 ized to be appropriated for carrying out the improvements
22 herein, the sum of \$10,000,000 additional is authorized to
23 be appropriated and expended in equal amounts by the
24 Departments of War and Agriculture for carrying out any

1 examinations and surveys provided for in this Act and any
2 other Acts of Congress, to be prosecuted by said departments,
3 and the additional sum of \$5,000,000 is authorized to be
4 appropriated for expenditure by the Department of Agricul-
5 ture in carrying on works of improvement of the character
6 specified in section 7 of the Flood Control Act of June 28,
7 1938. All appropriations necessary for operation and main-
8 tenance of flood-control works authorized by law to be oper-
9 ated and maintained by the United States are hereby author-
10 ized.

A BILL

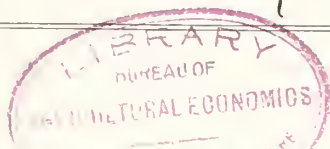
Authorizing the construction of certain public
works on rivers and harbors for flood control,
and for other purposes.

By Mr. WITTINGTON

MAY 29, 1941

Referred to the Committee on Flood Control

June 9



AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD-CONTROL

JUNE 9, 1941.—Committed to the Committee of the Whole House on the state
of the Union and ordered to be printed

Mr. WHITTINGTON, from the Committee on Flood Control, submitted
the following

REPORT

[To accompany H. R. 4911]

The Committee on Flood Control, to whom was referred the bill (H. R. 4911) to authorize the construction of certain public works on rivers and harbors for flood control, and for other purposes, having considered the same, report it favorably to the House and recommend that it do pass.

In its report of June 7, 1939 (Rept. No. 799, 76th Cong., 1st sess.), the Flood Control Committee pointed out the need for orderly development of the national policy of flood control and stated that an authorization bill for flood control might properly be introduced early in 1940. Such a bill (H. R. 9640, 76th Cong., 3d sess.) was introduced on May 2, 1940, after extensive hearings and was reported upon favorably by the committee in its report of May 7, 1940 (Rept. No. 2103, 76th Cong., 3d sess.). However, that legislation was not enacted into law and the purpose of the present bill (H. R. 4911, 77th Cong., 1st sess.) and this report is to renew that legislation and to incorporate therein certain worthy projects on which favorable reports have since been submitted by the Chief of Engineers.

NEED FOR ADDITIONAL AUTHORIZATIONS

Flood damages largely exceed the cost of protection and in conformity with the President's suggestion it is prudent to have a reservoir of such worthy public works authorized and ready to be placed under construction. Moreover flood protection works should be prosecuted at an increased rate in order to prevent damage and flood calamities that would seriously hamper the Nation's defense program. The act of 1936 as amended and supplemented by sub-

sequent acts authorizes a total of \$693,926,000 for flood control throughout the United States, exclusive of the lower Mississippi River. Including appropriations as passed by the Congress for the fiscal year 1942, \$376,741,000 have been appropriated for general flood control. Thus it may be deducted that there is left a backlog of \$317,185,000. Such a deduction would, however, be misleading since an additional amount of about \$177,000,000 will be required to complete projects now under construction or scheduled for construction in the fiscal year 1942. Deducting the latter figure from the \$317,185,000 mentioned above leaves a backlog of only \$140,000,000 of authority available for new flood-control projects.

Comprehensive plans for large river basins have been approved by Congress, but additional authorizations for the execution of the approved plans should be made in order that the improvements may be prosecuted with reasonable dispatch. These improvements can be executed more economically if authorizations are sufficient to permit more progress than can be made under present authorizations. The limited money authorizations now available for the initiation and partial accomplishment of approved comprehensive basin plans have been partially exhausted so that it is not now possible to initiate additional reservoirs in four of the eight major river basins of the country for which comprehensive plans have been approved by Congress unless the new legislation is enacted to give increased authorizations and to permit the Chief of Engineers to make expenditures in preparation for a project as set forth in section 2.

Many important projects cannot be constructed without additional authorizations. In certain instances flood-control projects must be constructed consecutively.

Reservoirs require long periods to be completed. Authorizations for such projects should be made in advance. Benefits do not accrue until the reservoirs are completed. It has taken 6 years to build the Fort Peck Reservoir.

Delays in construction due to high waters make river improvements slow. Projects should be initiated years ahead of expected completion and authorizations should be made correspondingly early even though limited annual appropriations are intended.

Demands for electric power in the national-defense program are growing faster than the program for the generation of power. Authorizations of reservoirs for multiple purposes are in order.

Devastating floods may jeopardize national defense by halting industrial production, by shutting down power plants, by crippling railroads, by destroying highways, and by interrupting communications generally. Additional authorizations both for national defense and the general welfare should be made at this time.

When the present session of Congress convened, the great war in Europe necessitated giving national defense prior consideration. Hearings for flood-control projects were delayed. Last year excessive floods occurred in New England, New York, Pennsylvania, and along the Ohio River. Recent floods have occurred in other parts of the country. Early in 1940 the floods in the upper Sacramento River reached unprecedented heights.

The House Committee on Flood Control conducted hearings from March 18 to April 9, 1940, and from April 21 to May 14, 1941. The

hearings embraced all projects on which the Chief of Engineers had submitted favorable reports since the hearings conducted on the act approved June 28, 1938. All requests for appearances before the committee were granted, and the principal drainage basins of the country were covered. The records of the hearings provide information additional to this report respecting the projects embraced in the pending bill.

FAVORABLE REPORTS

No projects have been included in the pending bill (except modification of existing or new projects) on which favorable reports have not been submitted by the Chief of Engineers.

Where there are additional authorizations for drainage basins in which projects have already been authorized and appropriations have been insufficient for their construction, the selection is left to the Chief of Engineers. The provisions of the act of June 28, 1938, obtain, except as amended. It is contemplated that priority projects will have first consideration. The authorization in one drainage basin cannot be transferred to another.

MULTIPLE-USE PROJECTS

Water is essential to the life of people and to the life of the Nation. It is probably the most valuable of natural resources; it should not be polluted and it should not be wasted. It should be made to serve and not to destroy. Plans for control of destructive floodwaters should to the extent practicable provide for their conservation and use for the benefit of all the people.

Electric power is generated by steam or by falling water. When it is generated by falling water it is called water power or hydroelectric power; and generation of hydroelectric power is one of the most important uses of the waters of the country. There are two kinds of hydroelectric power—firm and secondary. Firm power is always available and finds a ready market. Secondary power is not available all the time, as it depends upon the uncertain factors of rainfall and run-off, and its market is not so ready.

Reservoirs may be built for flood control, for navigation, for the generation of power, and for conservation of water for other uses. They may be operated primarily for one purpose or for several purposes. It is often practical and economical to build reservoirs with sufficient capacity to store dangerous floodwaters and with adequate capacity to store water for power or for other purposes. If operated for several purposes they are called multiple-use reservoirs.

A single-purpose reservoir primarily for flood control may be able to produce some power, but the power may be all secondary and of so little value that the installation of power machinery is not warranted. On the other hand, such power is sometimes well worth using as it has been used by private industry. Multiple-use reservoirs may produce both firm and secondary power. As for firm power, if the price is low enough markets will develop rapidly as they have at Bonneville. As for secondary power, its value may be determined by whether or not there is a large industry or interconnected transmission system that can use it whenever it is available.

The value of secondary power may be an important factor in determining the economics of a project. It is usually considered to have only the value of coal that could be saved by an existing steam plant, but coal is just one element. There are also the costs of boiler water, cleaning boilers, lubricants, replacements, and labor. If secondary power can be substituted for steam power it should be worth more than the bare cost of the coal saved. While secondary power has been undervalued in many cases there are many evidences of its real value. On the Ohio River at Louisville and at three places on the Kanawha River private power companies have built plants at Government navigation dams to use the secondary power available at these dams. They pay the United States about \$200,000 a year for the privilege of generating this secondary power. Why do the power companies operate these plants and pay for the privilege if secondary power plants are not economical? If plants capable of producing only secondary power can be made to pay, and do pay private companies, multiple-use reservoirs must be economically justified.

In some parts of the United States, where there are abundant supplies of coal and other natural fuels, power can perhaps be generated more cheaply by steam plants. Elsewhere ample rainfall and good water-power sites are available and hydroelectric plants fill the need. In other parts of the country water power is not economical when combined with flood control, navigation, and irrigation. Thus different parts of the country have different resources and needs, and it is not necessary to make one rule to apply everywhere. Each case should be considered on its own merits.

The Federal Power Commission has an important function and one of the biggest jobs in the Government. Since the Federal Water Power Act of 1920 the public has demanded some Government regulation of the uses of falling waters. The people are no longer willing that natural water resources be licensed to private corporations for long terms without supervision or regulation for the protection of the public. Such regulations, however, should not be destructive. And it is unnecessary for private corporations to invite destructive regulation by refusing to cooperate.

The Federal Power Commission could make a great contribution in solving the use and marketing problem of electric power. It is not necessary for this Commission to engage in construction, as each governmental agency which plans and builds a multiple-use reservoir is fully capable of executing such projects efficiently. But the marketing of power produced at dams that can and will be constructed for flood control to protect lives and property is becoming an increasingly important public question. The Federal Power Commission should not only have the power and authority to license but it should be in a position to know the marketing problem and to submit sound advice to Congress for the disposition of electric power.

The final solution of the problem of marketing and using electricity may require time, but in the meantime it is not necessary to permit the assets of falling water to go to waste. The public is entitled to the benefits of economical power that can be developed from their natural resources. Water power is not only valuable in itself but it contributes to needed public improvements that otherwise might not be built for flood control, navigation, and irrigation.

Many of the best potential uses of water resources are beyond the ability of private financing. Flood control, irrigation, and navigation projects, including power development, are unsuitable for private enterprise. These works must be constructed by the Government. The public is beginning to realize the great value of the multiple-use reservoirs, and they are being demanded throughout the country. In the Southeastern States where a new industrial empire is coming into being there are widespread demands for power that can be developed on the rivers in this section. The power possibilities along the White River in Missouri and Arkansas are really remarkable, and demands for power not only exist but will increase as the power is developed. It will take many years to construct reservoirs. By the time the projects have been completed all of the power that can be developed will be needed. The best multiple-use projects should be authorized now so that they can be prosecuted in an orderly manner to meet urgent needs for flood control, irrigation, and navigation and to satisfy the growing demands for electric power.

THE BILL

Enactment of the bill (H. R. 4911) will continue the national flood-control policy and program initiated by the act of 1936 and extended by subsequent acts of Congress, including the acts of 1937, 1938, and 1939.

The Congress and the country are agreed that the planning and execution of flood-control projects should be functions of the Engineer Corps of the United States Army, and that investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention should be prosecuted by the Department of Agriculture. The bill reaffirms and declares this to be the policy of the United States respecting flood control and introduces certain modifications in administrative procedure which will aid in carrying out the flood-control program.

The bill recognizes the urgent need for additional authorizations for prosecution of approved comprehensive plans, and makes the minimum additional authorizations which the Chief of Engineers considers essential for orderly prosecution of work in a number of the most important river basins. In addition, it authorizes certain individual projects which have been found economical and desirable.

Since the Flood Control Act of 1938 a large number of reports on surveys authorized by Congress have been completed and reviewed by the Board of Engineers for Rivers and Harbors, and reports on flood-control projects with favorable recommendations have been transmitted to Congress. The Flood Control Committee has included in this bill the new projects recommended. They have been carefully examined and planned with a view to producing the greatest good to the greatest number of people. The plans are comprehensive in scope and contemplate the most practical and economical method of conserving the water involved in each case. A number of the plans include multiple-use reservoirs which will permit the development of economical hydroelectric power in addition to providing storage for flood control, municipal and irrigation water supply, pollution control, and other purposes. New projects are authorized in the principal drainage basins of the country.

The bill continues the procedure of authorizing additional surveys and examinations for flood control and finally authorizes the sum of \$260,000,000 to be appropriated for carrying out the purposes of the act.

ANALYSIS BY SECTIONS

SECTION 1. POLICY

Section 1 is identical with existing law. It contains the declaration of policy respecting flood control and provides for investigation, planning, and prosecution by the Corps of Engineers of the United States Army of flood control and other allied works.

SECTION 2. ADMINISTRATIVE CHANGES

Section 2 of this bill provides that section 3 of the act of June 22, 1936, as amended by section 2 of the act of June 28, 1938, shall apply to all works authorized by this act, and that the provisions of (a), (b), and (c) of section 3 of the act of June 22, 1936, shall apply to channel-improvement or channel-rectification projects, except as otherwise provided by law. This provision merely reenacts the original intent of Congress with respect to the local cooperation requirements for the various types of flood-control works. This section also repeals the provisions of the Flood Control Acts of 1937 and 1939 which give the President authority to waive certain requirements with respect to local cooperation for certain flood-control projects in the Ohio River Basin. Repeal of this emergency provision will place the Ohio River projects on the same basis as similar projects in other parts of the country. Section 2 further provides that the authorization for any flood-control project, adopted in this bill or by previous acts of Congress, requiring local cooperation shall expire 5 years from the date of approval of this act unless local interests shall within said time furnish assurances satisfactory to the Secretary of War that the required local cooperation will be furnished. This proviso would remove from the list of authorized flood-control work those projects which apparently are not desired by local interests.

There have also been placed in section 2 of this bill some important provisions which will permit initiation and partial accomplishment of projects which might otherwise be delayed for long periods of time due to lack of sufficient advance authorizations for the completion of large projects. Since the Federal Water Power Act of June 10, 1920, the public has continuously become more and more interested in the conservation of water-power sites for the benefit of the people. As time goes on, these sites including reservoir bottoms become more and more valuable since they are continually being encroached upon by dwellings and improvements of various kinds. It is economical and advisable for the Government to secure the land rights for flood-control and power reservoirs as early as practicable and well in advance of prospective construction.

Moreover there are reservoir sites where it may be practicable and advantageous to construct dams smaller than those planned for full utilization of all the possibilities. All of the prospective benefits may not be needed now, or the capital expenditures needed for all benefits may not be justified at this time. The step-by-step building of works

for human uses in proportion to available funds and increasing needs is a practical common-sense procedure which has been used in every field of construction. The railroads of the country were first built as single-track lines, and other tracks were added as needed. Step-by-step construction is equally applicable to dams. The Ponte Alto Dam near Trentino, Italy, built in 1611 to an original height of 16 feet, was raised from time to time until in 1887 it had reached a height of 124 feet. The famous Aswan Dam which was built across the Nile in Egypt has been raised three times during its life. The O'Shaughnessy Dam on the Tuolumne River in California constructed in 1923 was altered in 1938, and the Reclamation Service has raised the Marshall Ford Dam on the Colorado River in Texas.

The construction of a dam in several stages costs little if any more than building it as a single job. Any additional cost that might be involved will be more than offset by the saving in interest on the first cost. A small dam can be constructed and used either for the generation of hydroelectric power or for flood control, whichever use is most desirable at the time. Later it can be raised and enlarged to serve both purposes. The smaller dam can be located on the site so that foundations remain available for the larger structure, or if considered expedient and more economical the foundation for the ultimate improvement can be placed in the beginning. In section 2 of this bill the Chief of Engineers is given the authority to begin and prosecute projects in whatever way he may determine to be advantageous under the conditions and circumstances that obtain from time to time.

SECTION 3. AUTHORIZATIONS

Section 3 adopts and authorizes the following improvements set forth in the bill, and continues the provision for penstocks in the reservoirs authorized.

CONNECTICUT RIVER BASIN

(H. Doc. No. 653, 76th Cong., 3d sess.; H. Doc. No. 724, 76th Cong., 3d sess.)

The Connecticut River floods of 1927 and 1936 caused direct damages estimated at \$60,000,000, drastic depreciations in property values, shut-downs of industrial plants, widespread distress and loss of lives in four New England States. At present many of these industries have defense orders and primary routes of rail and highway communication vital to the defense program cross and recross the Connecticut River Basin. With a view to relieving flood hazards in this valley, Congress, by the act of June 22, 1936, authorized some flood-control projects, and by the act of June 28, 1938, approved a general comprehensive plan for flood control and other purposes, for the Connecticut River Basin. Since enactment of the 1938 law the flood of September 1938, with its resulting damages, has indicated that certain modifications should be made in the plan for reservoirs and in the local flood-protection projects authorized by the act of 1938, and has emphasized the need for an increased rate of progress on flood-control improvements throughout the Connecticut Basin. Reports on modifications recommended by the Chief of Engineers have been transmitted to Congress.

The approved plan provides for a system of 20 reservoirs on tributaries of the Connecticut River, with levees and flood walls at 7 cities on the main stream. With funds authorized in the acts of 1936 and 1938, construction of 2 reservoirs has been brought near to completion, a third reservoir is well under way, and plans for other reservoirs have been completed. Both reservoirs and local protection items have been advanced to the maximum extent possible with available funds. As indicated by the documents referred to further study has shown increased authorizations to be imperative for both reservoirs and local protection works and the Chief of Engineers has recommended these increases.

With the understanding that none of the funds authorized in this bill shall be used for the construction of the Sugar Hill Dam and Reservoir on the Ammonoosuc River in New Hampshire, the Flood Control Committee recommends the modification of the approved flood-control plan for the Connecticut River in accordance with the recommendations of the Chief of Engineers. The committee by recent resolution has called upon the Board of Engineers for Rivers and Harbors to review House Document No. 724, Seventy-sixth Congress, third session, and previous reports on the Connecticut River with the view of finding a substitute reservoir which can be built in the place of the Sugar Hill project. In the light of this latest information and due to the unusually high defense value of flood-control work in the industrialized Connecticut River Basin where arms, airplanes, engines, and machine tools for supplying the Army and Navy are being manufactured, the Flood Control Committee further recommends that an increased authorization of \$16,000,000 be made available to expedite prosecution of the comprehensive plan. With this amount the approved local protection works can be completed and two more reservoirs can be constructed.

The Bethlehem Junction Reservoir was authorized in the Flood Control Acts of 1936 and 1938. The authorization has not been repealed. The committee understand, however, that both Bethlehem Junction and Sugar Hill would not be constructed. Several substitutes for Sugar Hill have been suggested. As stated, the committee has provided for a review of previous reports and from information furnished to the committee it is believed that a suitable substitute or substitutes can be found for the Sugar Hill project. The committee, therefore, has declined to authorize funds for the Sugar Hill Dam and Reservoir. No part of the \$10,000,000 herein authorized and no part of funds previously authorized under the Flood Control Act of 1936, or any other act is available for the construction of the Sugar Hill Reservoir. While the \$10,000,000 will cover two reservoirs, if the Chief of Engineers should decide to construct smaller reservoirs like Bethlehem Junction, more than two reservoirs might be constructed under the authorization of \$10,000,000.

THAMES RIVER FLOOD CONTROL

(H. Doc. No. 885, 76th Cong., 3d sess.)

The Thames River watershed, 1,473 square miles in extent, includes most of eastern Connecticut, and extends into southern Massachusetts and the western edge of Rhode Island. It has suffered severe damages

in past floods, notably \$7,000,000 in March 1936, and \$12,000,000 in September 1938. In the latter flood 2,500 families were forced from their homes. Localities which have suffered heavily are Southbridge, the optical goods center; Webster, an important textile center in Massachusetts; and Stafford Springs; Willimantic, the thread city; Putnam, a busy machine tool center; and Norwich, Conn. The area includes many national defense industries, and is located in the midst of the New England industrial region.

The plan recommended by the Chief of Engineers to control floods in this area includes seven storage reservoirs controlling a total of 475 square miles, and channel enlargement at Norwich at an estimated cost of \$13,200,000. Flood waters will be impounded by the reservoirs and released slowly after the streams have fallen to safe stages, thereby reducing flood heights at all downstream communities. The proposed flood-control measures would effectively prevent serious interruption of transportation and communication in the protected area, and would insure freedom from loss of industrial production under way for national defense.

The committee believes that this highly desirable flood protection is essential to orderly progress of the defense industry in this area and accordingly recommends that this project be adopted as recommended by the Chief of Engineers.

PAWTUXET RIVER FLOOD CONTROL
(H. Doc. No. 747, 76th Cong., 3d sess.)

The Pawtuxet River lies wholly within Rhode Island, drains an area of 230 square miles, and discharges into Narragansett Bay just south of Providence. It is highly industrialized in its steep upper portions. Many industrial establishments are located on the flat areas available along the lower river, for example, the University Winding Co., various textile mills, and a State nursery and farm. Flood losses amounted to \$160,000 for the flood of March 1936, \$300,000 for that of July 1938. Recurrence of the largest flood of record, that of February 1886, with the present state of development would cause damage estimated at \$1,250,000.

The Pawtuxet River flood-protection plan recommended by the Chief of Engineers includes local protection at Clyde, on the north branch, and a flood diversion channel which will provide complete protection for the 7½ miles of main river below Pontiac at an estimated cost of \$1,320,000 to the United States. The levee and wall at Clyde will protect a textile finishing plant and a lumber yard, together with some dwellings and stores. The diversion channel will follow a natural draw across undeveloped country, and discharge into Greenwich Bay at Apponaug. The protection of defense work being carried on by the industries in this vicinity, as well as protection of the main transportation and communications systems in this area between Providence and all points to the south, is of vital importance to the defense program.

The committee agrees with the recommendations of the Chief of Engineers and urges adoption of the project as recommended by the Chief of Engineers.

HUDSON RIVER BASIN—HOOSIC RIVER, N. Y., VT., AND MASS.

(H. Doc. No. 182, 76th Cong., 1st sess.)

The Hoosic River rises in northeastern Massachusetts and flows generally northwest a distance of 66 miles to enter the Hudson River 16 miles above Troy, N. Y. The drainage area of 713 square miles, located in Massachusetts, New York, and Vermont, has a population of 85,000 engaged in agriculture and the manufacture of machinery, textiles, paper products, wearing apparel, and lime.

Periodic floods on the Hoosic River, occurring every 3 to 5 years, affect industrial and transportation facilities severely and cause much damage to farm and residential property. Industries important to present national-defense efforts, normally employing 10,000 workers, have been attracted to the locality by the availability of water power. For this reason they have located in the flood plain. Railroads and highways serving these industrial centers parallel or cross the waterway. In the event of severe floods, these facilities are blocked or damaged, and transportation of passengers and supplies is disrupted.

The average annual flood damage experienced on Hoosic River totals about \$300,000, and this figure would be greatly increased should a flood occur now in the presence of the increased activity in the interest of national defense.

The existing Federal projects for Hoosic River providing for channel clearing at Hoosick Falls, N. Y., North Adams, Mass., and Bennington, Vt., at a total estimated cost of \$325,000, were authorized by the Flood Control Act of June 22, 1936. On February 25, 1939, the Chief of Engineers recommended modification and extension of the existing projects to include the town of Adams, Mass., and to provide for additional channel excavation, levee and wall construction, and alterations of bridges, all at a total estimated cost of \$2,170,000.

The committee reaffirms its favorable recommendation of last year for adequate flood protection on the Hoosic River substantially in accordance with the recommendations of the Chief of Engineers and adds that this work is now essential to orderly progress on the defense program under way in this basin.

LAKE CHAMPLAIN BASIN

WINOOSKI RIVER, VT.

(H. Doc. No. 656, 76th Cong., 3d sess.)

The Winooski River, having a total length of 90 miles and a watershed area of 1,080 square miles, lies wholly within the State of Vermont. The river and its main tributaries have their sources in mountainous country from which water descends rapidly to the main stem. Sudden rises of the river may cause damage to property and endanger lives in congested areas on the flood plains of the river where, due to the natural fertility of the lands, the early settlements were started and then developed into important towns and cities, including Barre, Middlesex, Montpelier, and Waterbury. The flood of 1927 caused the loss of 55 lives and property damage amounting to \$15,000,000. Bridges were carried away. Water and sewerage facilities were either disabled or destroyed, and the distribution of electric power was stopped. U. S. Highway No. 2, designated as a military priority high-

way and traversing the length of the Winooski River, was severely damaged and closed to traffic for a considerable time.

In a detailed report on the control of floods in the Winooski River Valley, the Chief of Engineers recommended a plan of improvement including the construction of a system of dikes and flood walls for protecting the main portion of Waterbury, a flood-diversion channel past Bolton Gorge, and channel clearing, at an estimated cost of \$880,000 to the United States.

The committee reaffirms its favorable recommendation of last year on this project and adds that a flood disorder now in the Winooski Valley would greatly handicap communications between industrial centers busily engaged on defense contracts.

OTTER CREEK AT RUTLAND, VT.

(S. Doc. No. 171, 76th Cong., 3d sess.)

Otter Creek has its source in the Green Mountains at Dorset, Vt., flows generally north 107 miles and enters Lake Champlain at a point about 19 miles south of Burlington, Vt. It drains an area of 936 square miles. Floods on Otter Creek are generally caused in the spring by protracted rains in combination with melting snows. Severe flood losses were inflicted upon the city of Rutland in 1927, 1936, and 1938. The aggregate damage resulting from these floods exceeded \$800,000, and it has been estimated that the annual flood loss is about \$20,000. The city of Rutland, Vt., located 72 miles above the mouth of Otter Creek, has a population of 17,315, and is the second largest city and commercial center of the State of Vermont. It is one of the most important railroad junctions in Vermont. Two military priority highways pass through Rutland. About one-fifth of the built-up section of the city lies within the flood plain.

The Flood Control Act of 1936 authorized a project for flood protection on Otter Creek at Rutland, Vt. As a result of extensive study by the Corps of Engineers, in accordance with a resolution of the Senate Committee on Commerce, it has been found advisable to modify the existing project. The Chief of Engineers has reported to Congress that the most feasible plan for the protection of Rutland against floods involved the construction of levees and flood walls and other related works at an estimated cost of \$308,000 to the United States.

The committee reaffirms its favorable recommendation of last year on this project and adds that any flood disorder in this locality would constitute an unfortunate interruption to the defense industries in New England that are now operating on forced schedules.

OSWEGO RIVER WATERSHED, NEW YORK

(H. Doc. No. 846, 76th Cong., 3d sess.)

The Oswego River watershed, including the Finger Lakes and the Clyde, Seneca, and Oneida Rivers, comprises an area of about 5,000 square miles in west-central New York. The flood control situation in this watershed consists of a number of independent problems where floods have caused sudden and heavy damages. In 1935 unprecedented rainfall over this area resulted in the greatest flood that has ever occurred in New York State. Over 40 persons were swept to

their deaths, and property damage amounted to more than \$25,000,000. Trees, buildings, and debris jammed bridges and culverts, streams were diverted, houses demolished, roads and railroads washed out, and bridges carried away. Navigation on the barge canal was suspended.

Remedial measures recommended by the Chief of Engineers for Canandaigua, Keuka and Owaseo Lakes and for Hammondsport, Watkins Glen, Montour Falls, Ithaca, and Syracuse consist of levees, walls, diversion channels, flood-control reservoirs, and channel clearing and rectification, all at a total estimated cost to the United States of \$3,220,000. Plans for the individual projects are set forth in House Document No. 846, Seventy-sixth Congress, third session.

The committee believes that the improvements proposed will protect lives, reduce flood damage, and further national-defense efforts by permitting uninterrupted operation of industries, canals, highways, and railways during flood periods and it accordingly recommends that the work be adopted in accordance with the recommendations of the Chief of Engineers.

SUSQUEHANNA RIVER BASIN—SUSQUEHANNA RIVER AT SUNBURY, PA.

(H. Doc. No. 366, 76th Cong., 1st sess.)

Sunbury, Pa., is located at the junction of the West and North Branches of the Susquehanna River and is particularly vulnerable to floods since either tributary might contribute sufficient flood waters to cause material damage to life and property. With national defense the main issue of the day and with industry, labor, transportation, and private business united for the speedy and efficient accomplishment of this program, flood protection for Sunbury becomes of increasing importance. Key industries are in many instances located on the river banks in the path of possible floods. Two main railroads pass through Sunbury carrying coal and other important commodities and two main arterial highways carrying heavy trucking converge at this point. Sunbury has a long history of known serious floods, dating back to 1846, but the most recent and best remembered was in March 1936, when the community suffered damage estimated at more than \$3,000,000. Flood scenes fresh in mind include—65 railroad cars run out on a bridge to keep it from washing downstream; workers kept on duty throughout day and night to bolster ramparts; all business at a standstill; and the populace, pale from lack of sleep and tired from the gigantic task of moving possessions.

The plan for flood protection of Sunbury, recommended by the Chief of Engineers provides for construction of levees north and south of the city along the river front at an estimated cost of \$1,900,000 to the United States. The local people have been and are ready now to furnish all required cooperation and believe that in their current defense effort, when speed and coordination in plans are the very root of success, the project to eliminate any possible failure due to flooding, should be promptly authorized.

The committee reaffirms its favorable recommendation of last year and invites attention to the high defense value of this project.

DELAWARE RIVER BASIN—RANCOCAS CREEK AT MOUNT HOLLY, N. J.

(H. Doc. No. 128, 77th Cong., 1st sess.)

Mount Holly, one of the many thriving urban communities in south central New Jersey, is the county seat of Burlington County and has a population of 6,500. It serves as a trading center for the rich agricultural areas in the lower Rancocas watershed and for rapidly expanding Fort Dix, less than 10 miles distant. Its numerous industries produce textiles, shoes, leather goods, and processed grains. The business, industrial, and older residential areas of Mount Holly, dating back to early colonial days, were located low in the flood plain of Rancocas Creek and in recent years the frequency of flooding has become serious. Within a period of 26 months, from June 29, 1938, to September 1, 1940, Mount Holly has been visited by six damaging floods, three of which could be classed as major disasters, causing well over \$200,000 in direct damages. Over a third of the business and industrial areas and a considerable portion of the residential area have been flooded repeatedly.

The plan of improvement recommended by the Chief of Engineers provides for improvement and rectification of the channel of Rancocas Creek through Mount Holly at an estimated cost of \$300,000 for construction.

The committee recognizes the unusual frequency and damaging effect of floods in this community and believes that the proposed protection will permit Mount Holly to resume its service to the surrounding country side and to expand its service to Fort Dix during the defense emergency. It accordingly recommends that this project be adopted as recommended by the Chief of Engineers.

MOBILE RIVER BASIN—ALABAMA—COOSA RIVER BASIN

AUTAUGA CREEK AT PRATTVILLE, ALA.

(H. Doc. No. 657, 76th Cong., 3d sess.)

Prattville, the county seat of Autauga County (population 3,000) is located on Autauga Creek about 6.5 miles above its junction with the Alabama River 12 miles below Montgomery. Large floods on Autauga Creek cause heavy damages at Prattville and in 1939 the main business section was inundated by 6 to 10 feet of water, four buildings and a bridge were demolished, numerous other structures suffered damages of varying degree, the water supply was affected, and the health of the inhabitants menaced. It has been estimated that the damage by this flood amounted to \$175,000 and a less serious flood of the preceding year, 1938, caused damages totaling \$50,000. Flood protection for Prattville would be beneficial to the defense program in the same sense that any improvement in the interest of order and efficiency in an emergency is beneficial.

The plan of flood protection found most suitable by the Chief of Engineers provides for improving the flood channel through Prattville, alteration of a dam and bridges, and construction of flood walls at an estimated cost of \$530,000 to the United States.

As recommended last year, the committee believes the improvement is warranted and should be adopted.

ALLATOONA RESERVOIR, ETOWAH RIVER, GA.

(H. Doc. No. 674, 76th Cong., 3d sess.)

The Etowah and Oostanaula River join at Rome, Ga., to form the Coosa River. The upper Coosa Basin, including the valley of the Etowah, is primarily an agricultural area, but due to its location and natural resources it is becoming of increasing industrial importance. Production of textiles, steel, and chemical products are expanding activities, which are affected by the defense program. A serious flood situation exists at Rome where the business section and most of the residential section is subject to recurring overflow. Although a part of the residential section has been given partial protection by levees under authority of the Flood Control Act of 1936, these works will not protect against major floods and they afford no protection to the basin generally.

The plan of improvement recommended by the Chief of Engineers provides for construction of a reservoir at the Allatoona site on the Etowah River 38 miles above Rome for flood control, regulation of stream flow for navigation, and power development at an estimated cost to the United States of \$13,000,000. The proposed dam would provide practically complete protection for farms on the Etowah River above Rome, would protect Rome against all but the most infrequent major floods, would greatly reduce flood damages on the Coosa River below Rome, would be of substantial value to further navigation development, and would provide a large block of economical hydroelectric power which would be quickly absorbed by the expanding industrial requirements of the region. Such flood protection and power would be of benefit to the defense efforts in this area.

Hearings held for the purpose of acquainting local interests with the expected results of constructing the Allatoona Reservoir have satisfactorily removed the opposition that had grown in some quarters due to lack of complete information.

The committee reaffirms its approval of the Allatoona Reservoir in accordance with the recommendations of the Chief of Engineers and recommends an authorization of \$3,000,000 for initiation and partial accomplishment of the project.

TOMBIGBEE RIVER

A project for the improvement of the Tombigbee River in Itawamba County, Miss., was authorized by Congress in the Flood Control Act of 1936. These works have been completed. The Chief of Engineers is now making a comprehensive investigation for flood control in the Tombigbee River Basin in accordance with resolutions of the Flood Control Committee and the Senate Committee on Commerce. This investigation is not yet complete but it already has shown the desirability of extending the channel improvement work in the Tombigbee River Basin. The Flood Control Committee, believing that an immediate start should be made to improve flood protection for this region, has included an item in the bill to extend the project authorized by the act of 1936, so that additional work at an estimated cost of \$150,000 may be accomplished pending completion of the comprehensive survey.

COLORADO RIVER BASIN (TEXAS)

The Colorado River Basin occupies an area of 42,500 square miles extending in a northwest and southeast direction across central Texas. The river is 900 miles in length. Congress has authorized several preliminary examinations and surveys of the Colorado River and its tributaries for flood control and other purposes. A single report covering the entire Colorado River and tributaries is now in preparation under these authorizations. The following projects are considered in interim reports which have been submitted to Congress by the Chief of Engineers on several parts of the ultimate plan for the Colorado River Basin.

LOWER COLORADO RIVER

(H. Doc. No. 312, 76th Cong., 1st sess.)

The lower Colorado River is the 300-mile reach below Austin, Tex., where the river flows through the Coastal Plain to the Gulf of Mexico. The overflow area below Austin, which includes 645,000 acres of land and a number of towns and smaller communities, has suffered 22 damaging floods since 1900, and average flood damages have been estimated at almost a million dollars a year. Overflows along this reach of river may be caused by storms over the lower basin as well as by flows from the headwater area. Therefore, local flood-protection works are needed for the lower river to supplement the reservoir control planned for the upper basin.

The plan of protection recommended by the Chief of Engineers provides for levees and channel improvements to protect an area of 421,000 acres including the towns of Columbus, La Grange, Bay City, Wharton, and six smaller communities, at an estimated cost of \$6,500,000 to the United States.

Levee protection on the lower Colorado River is urgently needed. Nine towns are subject to overflow and many acres of fertile land remain uncultivated because of the ever-present flood hazard. The recommended levee system will provide adequate flood protection. The project is meritorious and amply justified. The Flood Control Committee having in mind improvements needed both in normal times and in the flood emergency believes that the importance of the areas to be protected warrants the authorization of the works recommended by the Chief of Engineers. An item has therefore been included in the bill H. R. 4911 to authorize the project.

CONCHO RIVER

(H. Doc. No. 315, 76th Cong., 1st sess.)

The largest tributary of the Colorado River is the Concho River, which enters the main stream about 200 miles upstream from Austin, Tex. The most serious flood problem in the watershed of the Concho River exists in the valley of the North Concho River at and near San Angelo, Tex. (population, 15,000). In 1936 a flood on the North Concho River caused direct damages estimated at \$1,400,000 and much greater floods occurred before the valley was developed to its present state.

The Chief of Engineers has recommended the construction of a storage reservoir on the North Concho River above San Angelo and a confined floodway through that city at an estimated cost of \$6,800,000 to the United States. San Angelo would receive adequate flood protection from the recommended improvement and a considerable degree of flood control would be provided for the lower Concho and Colorado Rivers. The permanent pool of the reservoir would be of further value for wildlife conservation and recreational use.

The benefits from the improvement exceed the estimated cost by a substantial margin. The committee reaffirms its previous conclusions that the project has merit, that the plan of improvement should be approved, and that the sum of \$2,000,000 should now be authorized for the initiation of the work.

PECAN BAYOU

(H. Doc. No. 370, 76th Cong., 1st sess.)

Pecan Bayou, located in central Texas, is one of the major tributaries of the Colorado River. Extensive flood losses in the valley of Pecan Bayou result from the frequent floods of that stream and its tributaries. Flood damage is especially severe on Hords Creek in the vicinity of Coleman, Tex. (population, 6,000), and along the lower portions of Pecan Bayou where the town of Brownwood (population, 13,000) and 23,500 acres of land are subject to inundation. The Lake Brownwood Reservoir, which was constructed by local interests primarily for water supply, provides some measure of flood control, but additional flood protection is needed.

The plan recommended by the Chief of Engineers provides for a reservoir on Hords Creek above the town of Coleman and for the enlargement of Lake Brownwood Reservoir on Pecan Bayou at an estimated cost of \$2,960,000 to the United States.

The major flood-control benefits which would result from the recommended improvement amply justify its construction. The Hords Creek Reservoir and the enlarged Lake Brownwood Reservoir would protect the communities of Coleman and Brownwood and the adjacent farm lands, and would reduce flood stages on the lower Pecan Bayou and the Colorado River. These reservoirs would also provide much needed water for domestic and irrigation use in this large area where additional water supply is important. The recent expansion of military activities near Brownwood make it especially important that ample water-supply facilities be provided without delay. The committee feels even more strongly than last year that this project should be authorized in the interests of flood control and the Nation's preparedness. It therefore included in the bill an item to approve the entire project and to authorize the sum of \$1,400,000 to permit the initiation and partial accomplishment of the project.

BRADY CREEK, TEX.

(H. Doc. No. 441, 76th Cong., 1st sess.)

Brady Creek, situated in central Texas, flows into the San Saba River, which in turn is a large tributary of the Colorado River. Brady Creek floods at frequent intervals, resulting in large flood losses. The flood situation in the watershed is most serious at the town of Brady

(population, 4,800), where three destructive floods have occurred within the last decade. The local interests at Brady have attempted to protect the business district by the construction of a flood wall. Although this wall was completed in 1937 as a Work Projects Administration enterprise, the great flood of 1938 overtopped the wall and flooded the town.

The recommendation of the Chief of Engineers provides for a floodway through the town of Brady confined by levees and flood walls with necessary alterations of bridges at an estimated cost of \$825,000 to the United States.

The recommended improvement appears to be the most economical and satisfactory means of protecting Brady from the recurrent floods on Brady Creek. The committee believes that the project is meritorious and reaffirms its recommendation of last year that the work be authorized.

BRAZOS RIVER BASIN

Rising in eastern New Mexico, the Brazos River flows about 900 miles southeasterly across central Texas to its mouth in the Gulf of Mexico at Freeport, Tex. The river drains an area of 45,360 square miles. Several examinations and surveys of the Brazos River and its tributaries for flood control, navigation, and water conservation are now in progress under authority from Congress. The results of the studies made under these authorizations are being combined in a single report which will present a comprehensive plan for the development of the water resources of the entire Brazos River Basin. One unit of this comprehensive plan is covered in the interim report of the Chief of Engineers now under consideration.

WHITNEY DAM, BRAZOS RIVER, TEX.

(H. Doc. No. 390, 76th Cong., 1st sess.)

Urban improvements and agricultural crops and property are extensively damaged by the frequent floods on the Brazos River, with the area in the vicinity of Waco, Tex. (population, 60,000), suffering the greatest damage. Local levees along the lower portion of the Brazos River have been constructed by local interests and the Possum Kingdom Reservoir located on the Brazos River about 285 miles above Waco, Tex., has been undertaken with funds provided by the Work Projects Administration. These improvements do not, however, furnish adequate flood protection.

The Chief of Engineers finds that a reasonable degree of flood protection on the Brazos River should include reservoirs on the main stream and on the larger tributaries, together with levees at certain localities. In his interim report to the Congress he recommends the construction of the Whitney Reservoir on the Brazos River 38 miles upstream from Waco for flood control, water conservation, and the development of hydroelectric power at an estimated cost to the United States of \$10,150,000.

Any comprehensive plan for the development of the Brazos River Basin will include the Whitney Reservoir as an essential part of that plan. The reservoir would provide a large degree of flood control and a sizable block of valuable hydroelectric power. Through the

regulation of stream flow it would furnish a more reliable source of water for domestic, industrial, and irrigation uses. The increased stream flow would also be of value in any future improvement of the Brazos River for navigation.

Last year the committee reported that in order to safeguard the interests of flood control and possible future improvement for navigation, the Whitney Reservoir should be constructed, operated, and maintained under the direction of the Secretary of War and the supervision of the Chief of Engineers, and that the power developed should be disposed of under construction approved by the Federal Power Commission. The committee reaffirms this recommendation and accordingly the bill H. R. 4911 includes an item approving the Whitney Reservoir project and authorizing the sum of \$5,000,000 to permit the United States to initiate the project.

LOWER MISSISSIPPI RIVER BASIN

The lower Mississippi River Basin is the alluvial valley of that river which extends from Cape Girardeau, Mo., 52 miles above the confluence of the Ohio and Mississippi Rivers, south to the Gulf of Mexico, a straight line distance of 600 miles, through which the Mississippi River meanders about 1,000 miles. The average width of the valley is 50 miles, and it comprises some 20,000,000 acres which were subject to overflow before levees and other flood-control works were constructed. The exclusion of flood waters is essential to the protection and development of this great alluvial valley extending through the seven States of Missouri, Illinois, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana. The protected lands are the most fertile on earth and the national Government has assumed the responsibility for the construction of flood-control works necessary for their protection.

Other than the actual manufacture of munitions, machines, and airplanes for combat, there is no kind of public project that contributes as much to national defense as protection from the ravages of floods of the homes of agricultural and defense workers as well as manufacturing plants in our river valleys. Industry will continue in the future, as in the past, to locate its plants near river banks whenever feasible, and the workers' homes are located as near as practicable to such plants for obvious reasons. It is just as important if not more important to protect the existing homes of workers as to build new homes for workers. At no place is this more true than in the alluvial valley of the Mississippi River and the flood-control works that give the most protection for the money and effort expended necessarily are the most important from a defense viewpoint.

It is well to consider the importance of the flood control project for the alluvial valley of the Mississippi River to prevent such conditions as were caused by the flood of 1927. Then thousands of poor people both colored and white, were suddenly driven from their homes by devastating floodwaters. The roads in front of the descending waters were clogged with destitute human beings trudging toward high land with such belongings as they could carry. Mothers with babies in their arms, leading other small children, old men who could hardly walk, all intermingled with pigs and cattle struggled for road space to keep ahead of the water. Cabins abandoned hastily with chickens,

pigs, and personal belongings left behind presented a dreary picture. Occasionally an old man sitting astride the roof of a partially submerged cabin would be rescued by a rowboat. Others never got rescued. All this in a drizzling cold rain served to bring about complete confusion and disorder over an enormous area that in normal times is the prosperous bread basket of the Nation and is now vitally connected with the defense program. The interruption of interstate commerce over roads and railroads overflowed was only a part of the disorder that occurred. Refugee camps had to be established. The hungry and sick had to be provided for. The newspapers emblazed with headlines the catastrophe. The Government had to interfere with its normal functions to send aid to the stricken. It is essential that flood protective works be pushed to prevent such calamities during an unlimited national emergency.

By the Flood Control Act of May 15, 1928, Congress adopted a project for the flood control of the Mississippi River in its alluvial valley and for its improvement from the Head of the Passes to Cape Girardeau, Mo., in accordance with the engineering plan set forth and recommended in the report submitted by the Chief of Engineers to the Secretary of War, dated December 1, 1927, and printed in House Document No. 90, Seventieth Congress, first session. On February 12, 1935, the Chief of Engineers submitted to Congress, a report in response to its request, recommending certain extensions and modifications of the project adopted in 1928, and the Flood Control Act approved June 15, 1936, adopted the changes substantially as recommended by the Chief of Engineers. By the Flood Control Act of 1938, the Congress authorized additional work not contemplated by the 1928 and 1936 acts. Resolutions calling for a review report on this project, were adopted by the Flood Control Committee on August 2, 1939, and by the Committee on Commerce of the Senate on March 12, 1940. Pursuant to these resolutions a report has been prepared by the War Department, adopted by the Mississippi River Commission, reviewed by the Chief of Engineers, and considered in the hearings before the Flood Control Committee. The report dated March 7, 1941, and addressed to the Chief of Engineers, presents a full review of the development of flood control in the alluvial valley of the Mississippi River, gives a clear statement of the situation today, and recommends the extension of protection to certain backwater lands not now protected as well as the removal of certain restrictions with respect to the expenditure of the funds already authorized.

The committee after exhaustive study of the review report and of the adopted engineering plan recommend additional protection in the backwater areas of the Yazoo and Red Rivers, a minor modification of the project for the St. Francis River, repeal of restrictions in law as to expenditures of authorizations, and certain modifications of the existing engineering plan that are acceptable to the interested people on both sides of the Mississippi River.

After long hearings following the great flood of 1927 Congress approved the Flood Control Act of May 15, 1928, authorizing the plan of the Army engineers for flood control from Cape Girardeau to the Head of the Passes. The project was divided into three sections: The northern, from Cape Girardeau to the Arkansas River; the middle, from the Arkansas River to the Red River, and the southern, from the Red River to the Head of the Passes.

In the middle section the adopted project provided for a diversion without compensation to landowners through the Boeuf Basin. The plan in the middle section was modified in the Flood Control Act of June 15, 1936, so as to substitute the Eudora diversion and extension for the Boeuf diversion. The act was further amended by the Flood Control Act of June 28, 1938, to provide for compensation for flow-age rights in the Eudora diversion.

The success of the flood-protection works of the Mississippi River in carrying the great flood of 1937 to the Gulf without mishap indicates the efficacy of the flood-control improvements that have thus far been constructed in the lower Mississippi Valley.

Following the flood of 1937 the Chief of Engineers recommended that the main line levees be strengthened and that the discharge capacity of the river be enlarged. Levee rectifications were recommended. The act of June 28, 1938, made provision for levee rectifications, the strengthening of levee foundations, the strengthening of weak levees, and for increasing the discharge capacity of the lower Mississippi River.

The adopted project in the northern section, with the exception of the rectification of levees, has been substantially completed. There is no need for additional legislation in the southern section as the main-line levees have been completed.

As a result of cut-offs in the middle section of the river, the river has been shortened a distance of 137 miles from the mouth of the Arkansas to the mouth of the Red. It is now well established, as shown by the said review report dated March 7, 1941, submitted to the Chief of Engineers, that the work which has been done on the main river between the Arkansas and the Red has greatly increased its flood-carrying capacity and as a consequence has reduced the height of flood flow lines of all floods confined between the main levees. The States of Arkansas and Louisiana, in which the Boeuf and Eudora diversions are located, always protested against the construction of these diversions and as a result of their opposition the diversions have not been constructed. It is maintained that such diversions are no longer necessary in view of the reduced flood heights resulting from cut-offs. The State of Mississippi, on the other hand, maintained that the cut-offs, while beneficial, had not been tested by a major flood between the Arkansas and the Red, inasmuch as the flood of 1937 was largely confined to the northern section of the river. They advocated diversions to supplement levees and in the meantime advocated protection to both sides of the river from the maximum flood pending the tests of cut-offs by major floods.

The Flood Control Committee feels that the safe and sure protection of the alluvial valley of the lower Mississippi River from floods is of paramount interest to the United States and that all obstacles to accomplishing such protection should be removed at once. Opposition exists and obstacles are obvious.

The said review report was submitted in response to resolutions of the Committee on Flood Control of the House of Representatives and the Commerce Committee of the Senate. In submitting the report it was emphasized that no modification of the existing project which does not safeguard the interests of navigation should be considered; for the large tonnage carried on the Mississippi River is

constantly increasing and is of great importance during the present period of emergency in national defense.

As indicated, except for the diversions in the middle section, the adopted project has been largely completed as authorized in the Flood Control Act of May 15, 1928.

In the said review report of March 7, 1941, it was stated that if the benefits of cut-offs had existed in 1928 serious consideration would probably have been given to confining the project flood between the main-line levees, for to do so would not have involved such substantial increases in levee heights as were then estimated. It was further stated that in the past 12 years better levee foundations had been devised and great improvements had been made in levee construction.

The report further states that under existing conditions of the main river channel there are three physically feasible alternatives to the adopted plan which will afford protection equal to that contemplated by the existing project when it was adopted, and that a fourth plan would give protection equal to that afforded by levee and flood-wall projects on other rivers. The three alternatives were called the narrow Eudora, the Eudora extension only, and the levee plan to protect against the project flood. The fourth plan was an interim plan to protect against the maximum flood with future modifications, based on further experience, for additional works on the west bank.

While no specific recommendation was made as to which of the alternative plans should be adopted it was apparent from the conclusion of the report that protection against the maximum, rather than the project flood, with future determinations, was looked on with favor. This plan preserved to the east bank of the river its present superiority in grade and its advantage of topography inasmuch as the diversions were located on the west side of the river and followed natural diversions, the last of which, known as Cypress Creek, was closed under the supervision of the Mississippi River Commission, in 1922. Mississippi has always maintained that a mistake was made by the Mississippi River Commission in closing the Cypress Creek diversion through Arkansas in 1922. This diversion was opposite a highly exposed and most strategic area on the east bank of the Mississippi River. The greatest crevasse in the history of the Mississippi River occurred on the east bank opposite the Cypress Creek or Boeuf diversion on April 21, 1927. The east bank is opposite the mouth of the Arkansas and the White Rivers. The great flood of 1927 came very largely from these rivers. The east bank, in high floods, is exposed to the waves of an inland sea in the backwater area of the Arkansas and White Rivers. The hazards along the east bank in major floods are very great. The city of Rosedale and the city of Greenville, the largest city on the Mississippi River between Cairo and the Gulf of Mexico in the path of the 1927 flood, and other cities and towns are in this area. It was the design of the adopted project to give priority to centers of population. The New Madrid floodway in Missouri is designed to protect the city of Cairo in Illinois. The Bonnet Carre spillway is primarily for the protection of the city of New Orleans.

In the interim plan in the report the differential in levees on the east bank would have protected this densely populated area, including the city of Greenville. The very heart of the Yazoo Delta lies opposite

the mouth of the Arkansas and White Rivers. A higher levee on the east bank is therefore justified.

While advocating the principle of diversions and believing the principle of diversion to be sound, nevertheless, in order that the project might be completed, Mississippi agreed, with Arkansas and Louisiana, upon the adoption of plan 4 with the 2-foot differential in favor of the levees along the east bank.

The conclusion in the report states that complete confinement of the project flood to the leveed channel of the main river throughout the middle section appears now to be physically practicable.

The committee, therefore, followed the review report and adopted the alternative plan 4, which provides for levees only, except that provision is made for a 3-foot freeboard on the east bank of the Mississippi River from the Coahoma-Bolivar County line to Vicksburg, Miss., thus preserving the present superiority in topography and in grade and at the same time protecting both banks against the project or largest predicted flood.

The Boeuf diversion, the Eudora diversion, and the northern extension are abandoned and provisions relating to the prosecution of those works are repealed. The moneys authorized for their construction would be utilized in raising, strengthening, and enlarging the levees and in otherwise completing the adopted project under plan 4 of the report as modified. The report states that the policy was to be fixed by Congress inasmuch as any of the alternative plans would give protection in the middle section of the river. The committee adopted plan 4 with a 3-foot freeboard on the east bank of the river. No additional authorizations are contained in the bill for the main lower Mississippi River.

The project for the Yazoo backwater area was recommended in the report and the project follows generally plan IV in House Document 198, Seventy-third Congress, second session, which involves the construction of a levee from the lower end of the Mississippi River levee above Vicksburg northward along the west bank of the Yazoo River, and would fit into the adopted project for the headwater area of the Yazoo-Tallahatchie-Coldwater River system.

The report states no new legislation in the headwater area is necessary, and the bill makes effective both the headwater and backwater projects.

The Red River backwater project is adopted as recommended in the report.

The act of 1936 provides for a backwater area project in the White River.

The three principal backwater areas in the middle section are accorded protection, but the projects provide that the levees constructed shall not jeopardize the integrity and safety of the main river levees. The levees in the backwater areas will thus be lower than the levees along the main Mississippi River.

The entire main river from Cape Girardeau to the Head of the Passes is treated as a unit in establishing levee grades and sections. The higher the levees the larger the foundations and greater the cross section.

Inasmuch as the main-line levees have been completed as provided by the adopted project, the committee followed the recommendation of the report in providing for future set-back levees.

The committee also followed the recommendation of the report that funds hereafter expended for maintenance shall not be considered as reducing present remaining balances of authorizations.

HOMOCHITTO RIVER, MISS.

The Homochitto River rises in Lincoln County, Miss., and flows southwesterly to enter the Mississippi River in the southwest corner of the State near the Mississippi-Louisiana State line. In 1776 the Mississippi River cut off the bend in which the Homochitto River had its mouth. Emptying into this divorced bend, the discharge of the Homochitto became restricted and the gradual accumulation of logs, drift, and silt changed it from a navigable stream to one in which flood waters backed up to rise higher and higher, pooling over a large area of fertile agricultural land. Undaunted, as their productive farms were converted into a swamp land, the local people dug new outlets into the Mississippi River to the extent of their financial resources and they have since worked diligently to remove the obstructions that interfered with the navigation and the flood-discharge capacity of this stream. The disorder resulting from floods in this basin and the loss of the products from its excellent farms would be detrimental to the national effort during the emergency and well-being of the farms and people affected contributes to the general stabilization of the country while others work on more direct defense works.

The Flood Control Act of June 22, 1936, authorized a project for improvement of the Homochitto River in Adams and Wilkinson Counties, Miss., at an estimated construction cost of \$50,000. This work has been practically completed. Experience gained in executing this project and the modification authorized by the Flood Control Act of 1938 indicates that additional channel improvements and related works for flood control on the Homochitto River are desirable and that the sum of \$50,000 can be expended to advantage on such work.

RED-OUACHITA RIVER BASIN

CALION, ARK.

(H. Doc. No. 427, 76th Cong., 1st sess.)

Calion, Ark., located on the Ouachita River 307 miles above its junction with Red River, is a busy sawmill town and local trading center of some 1,000 inhabitants, and is subject to frequent overflow by the Ouachita River. The principal occupation is lumbering, which has increased in importance with the national-defense program. The mills are protected by a circle levee built by local interests, but the homes of the workers are subject to severe flood damage. In 1937 the entire residential section was flooded, local people were forced to live in boxcars for nearly a month, sanitary conditions were poor, and all work was completely stopped. Oil interests in this vicinity are likewise adversely affected by floods.

In view of these conditions the local people are anxious to have their homes and work protected, and the Chief of Engineers has recommended such protection by levees estimated to cost the United States \$50,000.

The proposed improvement was recommended by the committee last year and this recommendation is reaffirmed.

RED RIVER (GRANT AND RAPIDES PARISHES), LA.

In accordance with a number of authorizations from Congress, the Chief of Engineers is now making a comprehensive investigation of the entire Red River Basin. His report will contain full information on all possibilities for the development of the water resources of the Red River Basin. The field work on this report has been completed and the final report is practically complete. Although the full plan is not yet available, the studies made by the Chief of Engineers show clearly that additional flood protection is important along the Red River in Grant Parish below Colfax, La., to protect the town of Pineville and a large area of important agricultural land in that general vicinity. The work considered by the Chief of Engineers consists of the enlargement and extension of existing levees on the left bank of the Red River opposite Alexandria, La., at an estimated cost of \$159,100, and levees on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette and the separation of the channels of Bayous Darrow and Rigolette in the Aloha-Rigolette area, all at an estimated cost to the United States of \$914,500.

The committee after careful consideration of this proposed work believes that the protection to be afforded is important for the well being of an important agricultural area producing food supplies. It has therefore included an item in the bill to modify the project for local protection on the Red River below Colfax, La., as authorized in the Flood Control Act of 1938 so as to include these projects.

LITTLE MISSOURI RIVER, ARK.

(H. Doc. No. 837, 76th Cong., 3d sess.)

The Little Missouri River rises in Polk County, Ark., on the southern slopes of the Missouri Mountains, flows generally southeast for a distance of 147 miles and enters the Ouachita River 28 miles above Camden, Ark. The agricultural activities of the inhabitants of this basin consist of general farming and fruit culture and their industrial activities include sawmills, cotton gins, preparation and processing of fruits and some mineral and petroleum production. Large floods which occur at comparatively frequent intervals, adversely affect all of these interests. Overflow of the bottom lands often occurs more than once a year. Also substantial areas are subject to overflow by Terre Noire and Ozan Creeks, tributaries of the Little Missouri. Based upon field investigations it has been estimated that floods on the Little Missouri River and its tributaries have caused average annual damages of about \$160,000. Sweeping out of the mountainous headwaters the Little Missouri floods spread quickly and completely over the valley floor and interrupt the removal of bauxite (aluminum ore) and cinabar (mercury ore), two products essential to our defense program. Similarly agricultural and industrial pursuits of the local people are interfered with and defense workers of this area are forced to abandon work and homes during the disturbance.

For the protection and improvement of this watershed the Chief of Engineers has recommended in a recent report to Congress the construction of the Narrows Reservoir and powerhouse, improvement of channels of the Little Missouri River, Terre Noire Creek, and Ozan

Creek, and repair of levees along Terre Noire Creek, all at an estimated first cost to the United States of \$6,800,000 with \$30,000 annually for maintenance and operation of the Narrows project. In addition to flood control this project would provide a substantial block of hydroelectric power which the Federal Power Commission finds to be an important and highly desirable improvement for the Little Missouri River Basin.

The committee believes that this river basin with its bauxite deposits, its cinnabar mines, and its excellent dam site can add to the industrial efficiency of national defense as well as continue its present agricultural and industrial activities if the flood control and power project recommended by the Chief of Engineers is constructed and it recommends adoption of the project.

WHITE RIVER BASIN

(Flood Control Committee Doc. No. 1, 75th Cong., 1st sess.; H. Doc. No. 917, 76th Cong., 3d sess.)

The White River of Missouri and Arkansas is one of the principal tributaries entering the Mississippi River from the west. The lower part of the basin lies within the alluvial valley of the Mississippi River and is a rich agricultural area. The central and headwater sections of the basin, located in the rugged Ozark highlands, are rich in mineral resources and potential water power. The alluvial section of the basin has been protected from Mississippi River overflow, but, except for certain agricultural areas and towns which have been protected by levees built by the United States and local interests, the valleys of the main river and its tributaries are still subject to destructive flooding by White River. These White River floods also contribute substantially to Mississippi River flood flows below the latitude of Arkansas City.

The seriousness of the flood problem in the White River Basin was recognized by Congress when local flood-protection works were authorized for nine localities by the Flood Control Act of 1936. At this time six of these local protection works have been completed. In addition levees for protection of a considerable part of the White River backwater area are being constructed as a part of the adopted project for Mississippi River flood control. The Flood Control Act of 1938, approved a general comprehensive plan for the White River Basin in accordance with the recommendation of the Chief of Engineers and authorized \$25,000,000 for the initiation and partial accomplishment of the work. This general plan provides for a system of reservoirs on the White River and its tributaries for flood control and water conservation. At this time work is under way on the Clearwater Reservoir on the Black River in Missouri and the Norfork Reservoir on the North Fork of White River in Arkansas.

The Norfolk Reservoir will not develop its maximum usefulness unless constructed to a greater elevation than originally contemplated so as to provide storage for both flood control and power development. Also the Chief of Engineers has recommended the construction of the Bull Shoals and Table Rock Reservoirs for the control of floods and the development of hydroelectric power at an estimated first cost of \$79,000,000 and \$250,000 annually for maintenance and operation.

The committee has given careful consideration to the needs of the

White River Basin. The reservoirs proposed are multiple-use projects. These projects are located in a relatively undeveloped section of the country that is rich in minerals and raw materials, many of which are classified as strategic for national defense. This now nonindustrial region is becoming increasingly important in the defense program. The reduction of floods and the availability of an ample supply of power would encourage industrialization, and facilitate development and processing of the vast vital resources of the region. In addition the regulated stream flow below the dams would be beneficial to navigation and those interested in the use of river water for other purposes. The reservoir lakes would be excellent recreational centers and wild-life refuges. Streams entering them are spring-fed and clear, and the reservoirs will be large clear-water lakes surrounded by the beautiful Ozark Mountains.

The unusually meritorious nature of White River projects and the defense value of this basin indicate that the proposed improvements should not be delayed. The committee recommends that the work which has been recommended by the Chief of Engineers be approved and that the sum of \$24,000,000 be authorized to continue construction now under way and to initiate such additional work as may be practicable.

WHITE RIVER BETWEEN AUGUSTA AND CLARENDON, ARK.

(H. Doc. No. 98, 76th Cong., 1st sess.)

The section of the White River between Augusta and Clarendon, Ark., is located from 100 to 200 miles above the mouth of that stream. The lands are of the fertile alluvial type lying largely within the Mississippi River backwater area. The region is primarily agricultural. Floods which occur nearly every year cause such severe damage to the crops and farm lands that only about 25 percent of the area is under cultivation. Local interests have attempted to protect themselves from floods by the construction of levees but these works have proven to be inadequate and have been destroyed in numerous places.

The Chief of Engineers has investigated the flood problem in this vicinity in accordance with a resolution of the Committee on Flood Control and has transmitted to Congress a report on the matter. He recommends a plan of protection consisting of levees on the east bank of the White River between Augusta and Clarendon and at Georgetown and DeValls Bluff on the west side of the river at an estimated cost of \$2,847,500 to the United States.

The recommended improvement would protect this agricultural area, would prevent major flood losses to crops, farm land, and town property, and would permit the uninterrupted production of agricultural products as a contribution to the national-defense effort. The benefits which would result from the recommended project are in excess of the costs and the committee reaffirms its belief that the project should be authorized.

ARKANSAS RIVER BASIN

(Flood Control Committee Doc. No. 1, 75th Cong., 1st sess.; H. Doc. No. 107, 76th Cong., 1st sess.; H. Doc. No. 440, 76th Cong., 1st sess.)

The Arkansas River Basin embraces 160,500 square miles lying in the States of Arkansas, Oklahoma, Kansas, Texas, New Mexico, and Colorado, and extends from the Rocky Mountains to the Mississippi River. The climate of the basin varies from humid in the east to semiarid in the west; the topography includes mountainous areas, plains, and alluvial valleys. The flood-control and water-conservation problems of the basin are equally varied. Destructive floods occur in almost all parts of this wide area and flood flows from the Arkansas River have contributed largely to floods in the lower Mississippi Valley. Much of the basin is in semiarid country where progress and development require the most efficient control and use of natural water supplies.

Congress in the Flood Control Act of 1936 authorized a number of reservoirs and local flood-protection works for the Arkansas Basin, and by the Flood Control Act of 1938 approved a general comprehensive plan for flood control and other purposes and authorized \$21,000,000 for initiation of the work. The approved plan provides for a system of reservoirs for flood control and conservation of water for irrigation, municipal water supply, power development, and other useful purposes. Under authorizations contained in the acts of 1936 and 1938 the Conchas Reservoir, N. Mex., has been completed, and the Great Salt Plains Reservoir is practically completed; local flood-protection works at three localities have been completed and similar works are approaching completion at one additional locality; reservoirs are now under construction at Caddoa in Colorado, Fort Supply, and Canton in Oklahoma, and at Nimrod and Blue Mountain in Arkansas; and plans are being prepared for the Hulah Reservoir in Oklahoma.

Further investigations have been made in the Arkansas Basin and the Chief of Engineers has submitted the reports referred to above describing proposed modifications in the approved plan. The projects described are particularly important at this time because of expanding defense activities in eastern Oklahoma and southeastern Kansas. After careful consideration and with the understanding that none of the authorization in this bill will be used for the construction of the Oologah Dam and Reservoir on the Verdigris River in Oklahoma, the committee concurs in the modification of the comprehensive plan proposed by the Chief of Engineers, and recommends an additional authorization of \$29,000,000 for the prosecution of the approved plan for flood control of the Arkansas River and its tributaries.

SALT FORK IN THE VICINITY OF CHEROKEE, OKLA.

(H. Doc. No. 480, 76th Cong., 2d sess.)

Cottonwood Canyon flows through the city of Cherokee, Okla., and discharges through the Great Salt Plains of the Salt Fork of the Arkansas River upstream from the Great Salt Plains Reservoir. Cottonwood Canyon is normally a dry water course, but intense floods often occur with little or no warning, resulting in damages to Cherokee

and adjacent farm lands. In addition to thousands of dollars of material damages, past floods have caused some deaths, have seriously endangered the health of the inhabitants of Cherokee, and have interrupted traffic on two important railroad lines and a transcontinental highway.

The Chief of Engineers has investigated the flood situation at Cherokee in response to congressional resolutions and has submitted his report to Congress. He found that 90 percent of the city is subject to overflow by major floods, and that six major floods have occurred in Cottonwood Canyon since 1910. The plan of protection recommended by the Chief of Engineers provides for a leveed floodway to divert the flood waters of Cottonwood Canyon north of Cherokee through the Great Salt Plains at an estimated cost of \$800,000 to the United States.

As the recommended project would protect the city of Cherokee and more than 4,000 acres of rich farm land, and in addition would remove a serious hazard to life and health in that region and insure that rail and highway shipments, including grain for flour mills, would not be subject to delays and possible losses when Cottonwood Canyon is in flood, the committee has again included an authorization for this project in the bill.

ARKANSAS RIVER—LITTLE ROCK TO PINE BLUFF, ARK.

(H. Doc. No. 718, 76th Cong., 3d sess.)

The improvement and extension of the present inadequate levees on the south bank of the Arkansas River between Little Rock and Pine Bluff, Ark., would provide protection for about 25,000 acres of highly productive agricultural lands. This area, lying between the first and third largest cities in Arkansas, is one of the most productive in the middle section of the State.

The protection recommended would prevent large flood losses, human suffering, and inconvenience, and would result in more dependable farming and even a higher state of development than now exists. It would favorably affect nearly 2,500 persons who live in the flood plain and a large number of others who depend on this area either wholly or in part for their living. In the present emergency it is advantageous that every locality contribute its part to the general welfare and this area could be depended upon to furnish its share of foods and raw materials, if proper protection from destructive floods is afforded.

The plan of improvement recommended by the Chief of Engineers involves raising, strengthening, and extending existing levees at an estimated cost of \$641,000 to the United States.

In the interest of preventing flood losses and insuring the welfare of this important productive area the committee recommends that this project be adopted.

ARKANSAS RIVER—CRAWFORD COUNTY LEVEE

(H. Doc. No. 720, 76th Cong., 3d sess.)

The Crawford County levee is located on the north side of the Arkansas River in the extreme west-central portion of the State of Arkansas and extends from the town of Van Buren downstream a

distance of 22 miles. Floods are frequent on the Arkansas River and cause considerable damage to lands in the flood plain, extensive areas of which have been reclaimed by the construction of levees. The existing Crawford County levee was built by the local levee district, but is of inadequate grade and cross section and does not provide protection against major floods. The area that would be protected by enlarging this levee is near Fort Smith, the second largest city in the State, and is one of the most productive in the Arkansas Valley. During the emergency, when many of the able-bodied men are in military service or engaged in defense work, it is desirable that protection be given to those remaining at home in order that they may produce the maximum possible output of foods and raw materials from rich protected alluvial lands.

The plan of improvement recommended by the Chief of Engineers provides for strengthening the existing levee and making setbacks where certain sections are threatened by caving banks, at an estimated cost of \$284,000 to the United States.

The committee recommends that this project be adopted as recommended by the Chief of Engineers.

ARKANSAS RIVER—LEVEES AT TULSA AND WEST TULSA, OKLA.

(H. Doc. No. 157, 77th Cong., 1st sess.)

Tulsa, Okla., and its neighboring community of West Tulsa, across the Arkansas River, are subject to serious flood damage as indicated in September 1940 when a large portion of the industrial and residential areas, several main-line railroads, and a transcontinental highway were inundated by a flood on the Arkansas River. There are 150,000 people living in this urban area, and the properties subject to flood include oil refineries, producing oil wells, oil and gas pipe lines, an interstate gasoline pipe line, a steel mill, meat-packing plants, structural steel works, smaller industrial plants, residences, and railroads and highways. The value of these properties is estimated at over \$40,000,000. The Chief of Engineers has recommended a plan for protection of these communities involving completion of the existing levee system by the Federal Government, on lands to be furnished for the purpose by local interests, at an estimated construction cost of \$513,000, which is only a fraction of the damage that would be caused in this area by one major flood.

The Flood Control Committee realizes that a flood under present conditions, before the completion of the levee system, would paralyze this industrial area and its transportation lines at a time when the Nation cannot afford to have any interruption of its productive activities anywhere, and it recommends that this project be adopted as recommended by the Chief of Engineers.

OHIO RIVER BASIN

(Flood Control Committee Doc. No. 1, 75th Cong., 1st sess.; H. Doc. 300, 76th Cong., 1st sess.)

The Ohio River Basin, which includes all or a portion of 14 States in the eastern watershed of the Mississippi River, is one of the most important areas in the United States from a strategic and defense

standpoint. Much of the expansion of industry to meet the demands of the defense program is being made within this area. In the Flood Control Act approved June 22, 1936, Congress authorized a number of flood-control projects on tributaries of the Ohio and by the Flood Control Act of 1938 approved a general comprehensive plan for the Ohio River Basin as a whole and authorized \$125,300,000 for initiation and partial accomplishment of that plan. Continuation of construction of the approved plans for flood protection of the defense industries and the important arteries of defense commerce in this basin should be vigorously prosecuted in order that costly interruption and disorder may be avoided.

Five years ago on St. Patrick's Day, the greatest flood of record visited Pittsburgh. Pittsburgh was a stricken city. There were no electric lights, elevators did not run, and in portions of the city there was no water supply. Millions of dollars of damage were done to industry, industry which is now engaged in national defense work. To prevent a repetition of such a disastrous occurrence, six flood-control reservoirs have been constructed, or are under construction. Ten are included in the entire plan. One of these is the Allegheny Reservoir, the dam of which is located $1\frac{1}{2}$ miles below Kinzua, Pa., between Warren, Pa., and Salamanca, N. Y. This great reservoir will accomplish two purposes. It will help in reducing floods at Pittsburgh and part of the storage will be released during low-flow periods of the Allegheny River to dilute and purify the water flowing into the Allegheny River. In its normal state during low-flow periods, the Allegheny River is heavily polluted by domestic, industrial, and mine wastes. Industry and domestic water works are put to great expense to make this water usable. Even the housewife must spend extra money for soap because of the hardness of the water.

The general plan for the Ohio River Basin provides for reservoir control of the major tributary rivers supplemented by levees and flood walls at cities and towns along the main stream and on the tributaries. In prosecuting this plan the United States has completed 3 reservoirs and 6 local protection projects, and in addition 3 reservoirs and 21 local protection projects are now under construction.

The committee believes that the defense importance of the Ohio River Basin greatly emphasizes its recommendation of last year that every effort should be made to expedite the work and it now recommends that the sum of \$45,000,000 be authorized to permit initiation of additional items of the approved plan.

TENNESSEE RIVER BASIN—CHATTANOOGA, TENN., AND ROSSVILLE, GA.

(H. Doc. No. 479, 76th Cong., 2d sess.)

Chattanooga, Tenn., situated on the south bank of the Tennessee River in southeastern Tennessee, is the largest city in the Tennessee River Basin. Rossville, Ga., is adjacent to the southern part of Chattanooga. Congress, in the Flood Control Act of 1938, authorized an investigation of the flood problem at Chattanooga, Tenn., and Rossville, Ga., and a report on this subject has been made by the Chief of Engineers and transmitted to Congress. This report shows that a serious flood hazard prevails in the Chattanooga-Rossville area. Although Chattanooga has not experienced a large flood for a

number of years, a recurrence of the maximum flood of record would inundate 8,000 acres of the city, including the greater part of the business district, the manufacturing area, and the railroad stations and yards. It is estimated that the average annual flood damages amount to \$1,900,000.

The plan of protection recommended by the Chief of Engineers provides for the construction of levees, flood walls, and appurtenant works along the Tennessee River, with the rectification of the channel of Chattanooga Creek, to protect the main part of Chattanooga and Rossville, at an estimated cost of \$13,500,000 to the United States.

The recommended plan would provide full protection to Chattanooga and Rossville against a flood greater than the maximum of record. The reservoirs constructed and contemplated by the Tennessee Valley Authority in the Upper Tennessee River Basin would provide an added factor of safety for the levee system. The large amount of flood damages which would be prevented by this project and the protection to human life in this densely populated area fully justify the improvement.

In addition to the importance of this project during ordinary times it is now especially urgent because of the great variety and large volume of articles vital to the preparedness program which are manufactured in the Chattanooga area. The committee is informed that about 40 industrial establishments having national-defense contracts totaling over \$25,000,000 and large subcontracts for defense needs would be protected by the recommended works. Under present conditions all effective access to the city by rail and highway would be cut off by a major flood and Fort Oglethorpe would be isolated from Chattanooga, its principal source of supply. The proposed project would remedy these potentially disastrous conditions. An item to authorize this project was included in last year's bill. The committee believe now more strongly than ever that this project is urgent and should be authorized without delay.

UPPER MISSISSIPPI RIVER BASIN

(Flood Control Committee Doc. No 1, 75th Cong, 1st sess.)

The city of Decorah, Iowa, is situated on Dry Run, a tributary of the Upper Iowa River, near the mouth of the former stream. Decorah is a vital trading center in the important agricultural area of northeastern Iowa. The Flood Control Act of 1936 authorized the construction of a reservoir on Dry Run for the protection of Decorah.

Detailed studies made by the Chief of Engineers and consideration of the desires of local interests have shown that the solution of the flood problem is complicated due to existing bridges and other physical conditions and that a revised plan providing for the diversion of flood waters of Dry Run is advisable to afford the desired degree of flood protection at Decorah. The Federal cost of this revised plan is estimated at \$460,000. On May 29 of this year, Decorah was suddenly hit by a major flood on Dry Run. Swift currents of water mounted waist deep in the main streets, rendered four bridges useless, and damaged railroads so that service could not be resumed for 6 weeks.

Believing that the authorized project for the protection of Decorah, Iowa, should be modified in accordance with the revised plan of the

Chief of Engineers, the Flood Control Committee reaffirms its recommendation of last year, and has included an item in the bill to accomplish this purpose.

SEBEWAING RIVER, MICH.

(H. Doc. No. 286, 76th Cong., 1st sess.)

The Sebewaing River of Michigan drains an area of 105 square miles and flows into Saginaw Bay, an arm of Lake Huron. The town of Sebewaing (population, 1,400) is located at the mouth of the river. Drainage projects essential to complete utilization of the fertile agricultural lands on the main stem and tributaries above Sebewaing have contributed to the frequency and severity of flooding this community. Floods in 1934, 1935, and 1938 caused extensive damages in the business and residential sections of the town. Inundation of the village by flood waters is a serious menace to public health, the water supply becomes contaminated, and all normal activities, including food processing, are stopped. This community and countryside, like other farm communities, has an indirect but nevertheless important role, of supplying food and food products to the country. Efficient operation of defense industries requires that such sources of food supply be not interrupted.

The plan for flood protection recommended by the Chief of Engineers provides for improvement of the flood channel through Sebewaing at an estimated cost of \$250,000 to the United States.

The committee concurs in this recommendation and, as reported last year, believes this project should be adopted.

MISSOURI RIVER BASIN—HARLAN COUNTY RESERVOIR

(Flood Control Committee Doc. No. 1, 75th Cong., 1st sess.; H. Doc. 842, 76th Cong., 1st sess.)

Destructive flooding is a constant threat to farm lands and urban property in the Republican, Kansas, and Missouri River Valleys. The flood danger to 154,000 acres in the Republican River Valley would be completely removed by the construction of the Harlan County Reservoir on that river, 236 miles above its mouth. In addition, this reservoir, together with two other reservoirs in the Kansas River Basin—the Kanopolis Reservoir, now under construction, and the proposed Tuttle Creek Reservoir—would provide partial protection for agricultural lands in the Kansas and Missouri River Basins, and would enhance flood protection at such important municipalities as Topeka and the Kansas Citys, where the design of local-protection works now under construction is predicated on the eventual construction of upstream reservoirs. Many industries and facilities vital to the national defense lie within the area to be protected. Improvements for flood control would be beneficial to substantial portions of the military reservation and all of the Air Corps flying field at Fort Riley, Kans.; to two airports at the Kansas Citys; to defense training schools; to a large assembly plant for military aircraft, now under construction near Kansas City; to the stockyards and packing plants and the major portion of the grain-storage and flour-milling facilities at the Kansas Citys; and to the important transportation network at the Kansas Citys and in the Kansas and Missouri River valleys.

The committee recognizes the high value of flood protection in the Missouri River Basin and it believes that the sum of \$7,000,000 should be authorized at this time to permit the continuation of work on the approved comprehensive plan.

CHERRY CREEK AND TRIBUTARIES, COLO.

(H. Doc. No. 426, 76th Cong., 1st sess.)

The possibility of a major flood on Cherry Creek threatens the city of Denver, Colo., with a major catastrophe. Cherry Creek rises in El Paso County, Colo., flows northerly to join the South Platte River in Denver. The topography of Cherry Creek Basin is such as to cause large floods of great intensity which may descend on Denver with little warning. For the lower $5\frac{1}{2}$ miles of its course Cherry Creek flows through industrial and residential sections of the city. The great flows which would result from major floods on Cherry Creek would submerge a large part of the central portion of Denver including important business districts, railroad yards, industrial establishments and extensive residential areas. Denver is the most important industrial center between the Missouri River and the Pacific coast and any disruption of the normal activities of that city would be detrimental to the whole country. The need for flood control on Cherry Creek has been investigated by the Chief of Engineers in accordance with the Flood Control Act of 1937 and a report has been submitted to Congress.

The plan of protection recommended by the Chief of Engineers provides for the construction of two reservoirs on Cherry Creek at the Cherry Creek No. 1 site and at the Castlewood site both above Denver at an estimated cost to the United States of \$10,500,000.

Construction of the recommended project would protect Denver against any flood reasonably to be expected and would eliminate practically all further damages from Cherry Creek floods in the agricultural valley above that city. In addition water for irrigation is to be stored in the Castlewood Reservoir. Unquestionably the benefits of the improvement would greatly exceed its cost. The Flood Control Committee reaffirms its previous recommendation that the plan recommended by the Chief of Engineers should be approved by Congress and because of the need for the contemplated flood protection at Denver \$3,000,000 should be authorized at this time to provide for the construction of the Castlewood Reservoir and the completion of the detailed plans and other necessary preliminary work for the Cherry Creek Reservoir No. 1.

PLATTE RIVER IN THE VICINITY OF SCHUYLER, NEBR.

(H. Doc. No. 250, 76th Cong., 1st sess.)

The town of Schuyler, Nebr., is located about 55 miles west of Omaha and lies about $\frac{1}{2}$ mile north of Lost Creek and $1\frac{1}{2}$ miles north of the Platte River. The area adjacent to the Platte River in the vicinity of Schuyler is threatened with serious damage by the possibility of partial or complete diversion of the flow of Platte River into its tributary, Lost Creek, which flows close to and approximately

parallel to the Platte River. Active erosion by the Platte River is now in progress at a point a short distance west of Schuyler where Lost Creek and the Platte River are only 750 feet apart.

In accordance with authority contained in the Flood Control Act of 1937, the Chief of Engineers has reported to Congress on his investigation of the situation at Schuyler. He recommends a plan of protection providing for the construction of suitable bank revetments to prevent the threatened diversion at an estimated cost to the United States of \$63,000.

The diversion of the flow of the Platte River into Lost Creek would cause extensive damage to public and private property in the vicinity of Schuyler and would add to the suffering and hardships of the residents of that area who have been greatly handicapped by the long-continued droughts of recent years. A small sum used at this time in preventative measures will prevent substantial damage at and near Schuyler and will remove the possibility of much greater expenditures for rehabilitation work which would be necessitated if the threatened diversion should take place. The committee reaffirms its belief that the improvement is justified and recommends its authorization.

INDIAN CREEK AT COUNCIL BLUFFS, IOWA

(H. Doc. No. 577, 76th Cong., 3d sess.)

Indian Creek, a tributary of the Missouri River, flows through the city of Council Bluffs, Iowa. A project to provide flood protection from damaging floods on Indian Creek at Council Bluffs was authorized by Congress in the Flood Control Act of 1936. An improvement similar to the authorized project consisting of a concrete-lined flood channel through the city with a diversion channel from the city limits to an old slough of the Missouri River was subsequently constructed by the city with Federal aid through the Federal Emergency Administration of Public Works. Since the completion of this project, silting of the diversion channel and the old Missouri River slough have impaired seriously the effectiveness of the entire project. Continued filling in of the channel will eventually destroy the usefulness of the works and bring about a recurrence of the damaging flood conditions which prevailed prior to the improvement.

The Chief of Engineers has investigated this situation pursuant to a resolution of the Flood Control Committee and has submitted a report to Congress in which he recommends the construction of a suitable outlet channel at an estimated cost to the United States of \$18,000.

The Flood Control Committee believes that the continued effectiveness of the entire project at Council Bluffs can be insured by the early construction of the recommended project and it has again included authorization for this work in the bill.

FALL RIVER, S. DAK.

(H. Doc. No. 655, 76th Cong., 3d sess.)

Fall River is a tributary of the Cheyenne River in South Dakota. The stream is subject to frequent floods resulting from storms of cloud-burst intensity which cause extensive damage to agricultural land

and residential and commercial properties. The town of Hot Springs, S. Dak., is the most important community in the basin of Fall River and is located on a very narrow flood plain occupying practically the entire area between canyon walls. Because of the rapidity with which floodwaters concentrate, the occurrence of major floods on Fall River threatens serious loss of life. In response to a resolution of the Committee on Flood Control the Chief of Engineers has submitted a report on the flood problem on Fall River setting forth a plan for flood protection.

The plan of improvement recommended by the Chief of Engineers provides for the construction of reservoirs on Cottonwood Springs Creek and Cold Brook, two tributaries of Fall River, together with channel improvement at Hot Springs at an estimated cost of \$1,050,000 to the United States.

The recommended project is fully justified by the flood damages it would prevent. In addition the operation of the project would remove a serious hazard to human life.

The Committee on Flood Control reaffirms its recommendation that the recommended improvement be constructed, and it has included an item to authorize the project in the bill.

MISSOURI RIVER—SIOUX CITY, IOWA, TO KANSAS CITY, MO.

(H. Doc. No. 821, 76th Cong., 3d sess.)

The proposed flood-control project on the Missouri River from Sioux City, Iowa, to Kansas City, Mo., is designed to provide protection for agricultural bottom lands between Sioux City to Kansas City, where most of the river has already been stabilized as a result of river improvement work for navigation. In addition, it would protect valuable riparian lands against destructive erosion upstream from Sioux City, Iowa, to Kenslers Bend, a section of the river which is not stabilized by river improvement work.

The total area now subject to overflow by extreme floods of the Missouri River between Sioux City and Kansas City is about 1,250,000 acres. The most damaging floods usually occur in June and July, during the growing season, thus striking growers at the most vulnerable period in the year. Food producing and processing industries and facilities are located near the area to be protected and would receive benefits. Included among these are grain elevators, flour mills, and the livestock markets and packing houses at Sioux City, Omaha, St. Joseph, and Kansas City, which furnish a large share of the Nation's meat supply.

The Chief of Engineers recommends the protection of riparian lands between Kenslers Bend, Nebr., and Sioux City, Iowa, at an estimated first cost of \$875,000, and the construction of flood-control works for the protection of small communities and agricultural lands on both banks of the Missouri River between Sioux City and Kansas City at an estimated cost of \$5,050,000. After careful consideration of the need for these projects the committee recommends that they be adopted as recommended by the Chief of Engineers.

MISSOURI RIVER—LIBERTY BEND CUT-OFF

(H. Doc. No. 722, 76th Cong., 3d sess.)

The Liberty Bend cut-off is designed to reduce the cost of flood protection at the Kansas Citys. Libery Bend is a hairpin bend in the Missouri River about 18 miles below the mouth of the Kansas River. A channel cut-off to eliminate this bend would result in reduced flood heights upstream, which in turn would enable savings, greater than the cost of the cut-off, in flood-protection works at the Kansas Citys. Without the cut-off, adequate flood protection at the Kansas Citys cannot be obtained except by encroachment of protective structures upon the Kansas City, Mo., municipal airport, with a resultant reduction in its usable area and a disruption of existing airport facilities. Many industries and facilities vital to the national defense lie within the area to be protected. Among the facilities at and in the vicinity of the Kansas Citys whose protection will be enhanced by the cut-off are the following: Two airports, 1 of which is utilized by the Army Air Corps, the Naval Reserve, and the Marine Reserve; defense training schools; a large assembly plant for military aircraft now under construction by the War Department; the stockyards and packing plants, ranking second in size in the United States; the major portion of the grain-storage and flour-milling facilities; vital portions of the important transportation network converging at the Kansas Citys, consisting of various lines of 12 railroads with their shops, yards, and other facilities; large industrial plants, many of which have large orders for army material; various highways; and other miscellaneous facilities. Furthermore the proposed cut-off will be beneficial to the lower portions of the Blue River Valley and other urban localities.

The War Department is now making a comprehensive investigation for flood control of the Blue River Valley under specific authority from Congress and the report thereon is expected to be made available to Congress in the near future. This report will embrace recommendations for all economically feasible flood-control works for the Blue River Valley. The committee had no report from the Chief of Engineers covering a project for the protection of Blue River Valley and the committee will not be in position to report a bill for the protection of the valley until the report of the Chief of Engineers is submitted.

The Chief of Engineers recommends that the existing project for flood control at the Kansas Citys which is now under construction in accordance with authorization contained in the Flood Control Act of 1936 be modified to authorize the construction of cut-offs at and in the vicinity of Liberty Bend and the committee concurs in this recommendation.

FLOOD CONTROL, SANTA ANA RIVER BASIN, CALIF.

Santa Ana River Basin comprises an area of 2,476 square miles southeast of Los Angeles, has a population of about 300,000, and property values in the overflow area estimated at \$450,000,000. The basin is subject to sudden and destructive floods which are a serious menace to life and property.

The 1938 flood destroyed 43 human lives and caused property damage estimated at \$21,000,000. The destruction of highways and

main-line railroads not only resulted in serious local damage but caused losses that were widespread due to interruption of transportation facilities.

Within the metropolitan area of Orange County, airports and plants engaged in national-defense industries are located in the overflow areas of the Santa Ana River and other streams which are subject to sudden and disastrous floods. The protection from flood damage in this overflow area of the communication networks, railways, and highways extending between the great port of Los Angeles and the navy base at San Diego is of vital importance to national defense.

The Flood Control Act of 1936 authorized the construction of reservoirs and related works for protection of the metropolitan area in Orange County, Calif. The Flood Control Act of 1938 modified the project to provide for the control of floods on San Antonio Creek and Chino Creek, tributaries of the Santa Ana River (H. Doc. No. 688, 75th Cong., 3d sess.), and authorized \$6,500,000 for initiation and partial accomplishment of this modification. At the present time two dams and reservoirs are practically completed, and a third reservoir is under construction.

The committee find that additional flood protection for Orange County and the Santa Ana River Basin is urgently needed due to the unusually destructive effects of floods from the steep slopes of this area and particularly because of the high defense value of flood protection in this area. An increase of \$2,500,000 in the authorization is important at this time and is in the interest of the defense program.

FLOOD CONTROL, LOS ANGELES COUNTY DRAINAGE AREA, CALIFORNIA

(H. Doc. No. 838, 76th Cong., 3d sess.)

Los Angeles County drainage area, with a population of about 2,750,000 and a property value of nearly \$6,000,000,000, comprises an area of 1,717 square miles that is drained by Los Angeles and San Gabriel Rivers and Ballona Creek. These streams are subject to sudden and destructive floods. The population within the overflow area exceeds 800,000, and the value of property subject to flood damage is more than \$1,000,000,000. The 1938 flood caused a loss of 49 human lives and property damage of \$40,400,000. Floods have passed through the densely populated residential areas, completely destroying many homes and leaving in their place broad areas strewn with sand, gravel, and boulders. One flood, from a small tributary, left 40-ton boulders on a paved highway.

The Flood Control Act of 1936 authorized a flood-control project for the Los Angeles-San Gabriel River Basin involving construction of reservoirs and principal flood channels, at an estimated construction cost of \$70,000,000. Under this authority work on the project has been prosecuted rapidly. A number of reservoirs and debris basins and extensive flood channels have been completed and placed in operation and work is now under way on other units of the project.

National-defense activities in this area have greatly increased the justification of flood control. The contracts for aircraft production alone amount to more than \$1,000,000,000. Recent rains have caused considerable damage to plants engaged in national-defense production and also considerable delay due to interruption of transportation

facilities, making it difficult for personnel and materials to reach or leave the plants. Several plants holding primary contracts have been flooded and plants of many of the subcontractors have been damaged.

There is a strong and justified demand that flood-control improvements in Los Angeles County drainage area be completed at an early date. The rainfall during this year, which was in excess of 200 percent of normal, has confirmed the bases of recommendations by the Corps of Engineers for new work as given in House Document No. 838, Seventy-sixth Congress, third session. To obtain early protection and full benefits of work already prosecuted, completion of the flood-control program should be expedited. The committee recommend the authorization of \$25,000,000 for the partial accomplishment of the plan recommended by the Chief of Engineers in House Document No. 838, Seventy-sixth Congress, third session.

SACRAMENTO AND SAN JOAQUIN RIVERS

The Flood Control Act of 1936 authorized a preliminary examination and survey of the Sacramento and San Joaquin River Valleys and similar investigations for tributary streams in that basin have also been authorized by Congress. Under these authorizations a number of studies have been completed by the Chief of Engineers and separate reports on units of the flood-control plan for the Sacramento and San Joaquin Rivers are being transmitted to Congress.

SACRAMENTO RIVER, CALIF.

(H. Doc. No. 205, 77th Cong., 1st sess.)

In the Flood Control Act of March 1, 1917, Congress adopted a Federal project for flood control on the Sacramento River, Calif., in cooperation with the State and local interests. This project has been modified by subsequent acts of Congress. The total authorized expenditure by the United States under all of these authorities is now limited to the amount of \$20,100,000. The project has been progressing steadily over many years and at the present time is approaching completion. Due, however, to increased costs and the necessity for extensive repairs to levees damaged by recent severe floods the work authorized cannot be completed within the limit of the present authorized expenditures.

Under the authority of the Flood Control Act of 1936 the Chief of Engineers has submitted a report covering the Sacramento River Valley within the limits of the existing project. He has found that about 1,000,000 acres of land lying within the area to be protected by the authorized project are in danger of serious flooding from the overtopping of levees not yet completed to project grade, or from possible failure of levees of insufficient section. He recommends that the existing project be completed at an estimated additional cost to the United States of \$10,500,000.

The Sacramento River Valley is one of the most highly productive agricultural regions in the United States and numerous specialized crops are grown in this area. Two transcontinental railroads and interstate highways of primary military importance traverse the valley. The importance of this region to the national defense is evidenced by the fact that during the First World War the construction

of the flood control project was sponsored by the Food Administration as an aid to agricultural production.

In the Flood Control Act of 1936 Congress established a general policy for participation by the United States and local interests in flood-control projects through the country. A great many works have been placed under construction in accordance with this policy but the Sacramento River project has continued to be subject to the provisions of earlier law which required much greater local participation. In view of the very large expenditures heretofore made by local interests in carrying on their share of the authorized project, the committee believes that the additional work necessary to complete that project should be prosecuted substantially in accordance with the policy established by the act of 1936. The recommended improvement is planned on this basis.

The committee has therefore included an item in the bill to modify the existing project in accordance with the recommendations of the Chief of Engineers and, in addition, believing that a start should be made toward extending the protection upstream in the Sacramento River Valley above the upper limits of the existing project, has made provision for channel improvement and bank-protection work in that reach.

FRESNO COUNTY PROJECT

(H. Doc. No. 845, 76th Cong., 3d sess.)

Fresno County is located in the south-central portion of California. The proposed Fresno County project is an improvement to protect a highly developed agricultural and urban area with a population of 100,000, from floods on Big Dry and Dog Creeks. Within the area subject to flood damage are the important residential centers of Fresno and Clovis and many smaller communities. During 1938 flood damage in Fresno County exceeded one-half million dollars.

An Army air base is now under construction at Fresno. The area is traversed by the Atchison, Topeka & Santa Fe, and the Southern Pacific Railroads, and by the Golden State Highway (U S 99), all of which are of prime military importance since they connect the area with Sacramento and San Francisco on the north, and Bakersfield and Los Angeles on the south. The area is also the center of the raisin industry of California and of fig production in the United States.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a detention reservoir on Big Dry Creek, near Fresno; for diverting flood waters of Dog Creek to a point on Big Dry Creek above the reservoir; and for constructing a diversion canal from the reservoir northwesterly to Little Dry Creek, a tributary of San Joaquin River, all at an estimated first cost to the United States of \$510,000. The completed project will afford a high degree of protection to Fresno and Clovis, and the surrounding agricultural and urban areas.

After careful consideration of the economic importance of the agricultural and industrial development, and of the importance of insuring that floods shall not interrupt transportation facilities with the Army air base, the committee recommends that this project be adopted as recommended by the Chief of Engineers.

UMPQUA RIVER BASIN

(H. Doc. No. 684, 76th Cong., 3d sess.)

The Umpqua River is located in southwest Oregon and flows directly into the Pacific Ocean. The basin of this stream drains 4,550 square miles of rugged, heavily wooded country south of the Willamette River watershed. In accordance with authority provided by Congress in 1935 and 1936 the Chief of Engineers has investigated the Umpqua River Basin for flood control. The report which he has transmitted to Congress shows clearly that the most productive farm lands in this relatively narrow river valley and a number of towns along the river are subject to intense flood damage. Existing local protection works are not sufficient and should be repaired and strengthened at several localities to provide adequate flood protection. The Chief of Engineers recommends a plan which provides for levee rehabilitation, erosion prevention, construction of new levees and channel improvements in seven agricultural areas and a flood wall and related works to protect the town of Reedsport, Oreg., all at an estimated cost of \$176,000 to the United States.

The committee reiterates its findings of last year that the recommended improvement is economically justified and that it should be authorized by Congress. In addition it believes that the importance of the lumbering industries to the national-defense program warrants the immediate initiation of this project.

WILLAMETTE RIVER BASIN

(H. Doc. No. 544, 75th Cong., 3d sess.)

The Willamette River Basin of Oregon suffers from annual overflows which cause damages to lands, crops, and improvements, and a repetition of the greatest flood of record, which occurred when the basin was practically undeveloped, would now cause large damages and probably loss of life. The need for flood control in the Willamette Valley has been recognized by Congress. The Flood Control Act of 1936 authorized some works for local flood protection, and the act of 1938 approved a general comprehensive plan for the Willamette Basin and authorized \$11,300,000 for initiation of the work.

The approved plan for the Willamette Basin provides for construction of seven reservoirs and related improvements for flood control, power development, navigation, and water conservation. The bank protection and channel improvement works authorized by the act of 1936 have been completed or are now under construction, and three reservoirs authorized by the act of 1938 are under construction at Cottage Grove on the Coast Fork, at Fern Ridge on Long Tom River, and at Dorena on Row River. The Fern Ridge Reservoir is rapidly approaching completion and excellent progress is being made on the Cottage Grove and Dorena Reservoirs.

The large benefits of the approved Willamette River plan cannot be fully obtained until the work reaches completion. The great lumber industries and the present and potential water transportation facilities of this area constitute an important part of the program of national preparedness. The committee believes that the importance of this project for flood control, improved water transportation and irrigation warrants its speedy prosecution and recommends that an additional authorization of \$11,000,000 be made at this time.

PUDDING RIVER, OREG.

(S. Doc. No. 185, 76th Cong., 3d sess.)

The Pudding River is a tributary of the Molalla River which in turn flows into the Willamette River. The Pudding River rises in the foothills of the west slope of the Cascade Range and drains part of the central portion of the Willamette River Basin.

The Chief of Engineers has investigated the flood problem on Pudding River in accordance with a resolution of the Committee on Commerce of the United States Senate. The report which he has transmitted to Congress indicates that floods occur practically every year on the Pudding River. These floods inundate large areas in the valley of that stream, and result in great damage to the important specialized crops, and fertile farm lands in the area. Several important highways are closed by Pudding River floods and the lumbering industries are disrupted for long periods of time. The Chief of Engineers recommends the improvement of the lower 47 miles of the Pudding River channel by the removal of log jams and other debris and bank and channel clearing at an estimated cost to the United States of \$60,000.

This improvement combined with the approved reservoir plan for the Willamette River Basin will provide a desirable degree of much needed flood control on the Pudding River. The committee reaffirms its recommendation that the work be authorized and has included this project in the bill, H. R. 4911.

COLUMBIA RIVER BASIN

TOUCHET RIVER, WASH.

(H. Doc. No. 662, 76th Cong., 3d sess.)

The Touchet River Basin comprises an area of about 775 square miles of mountainous areas and bottom lands in Columbia and Walla Walla Counties, Wash. The stream is the largest tributary of the Walla Walla River, which it joins near the city of Touchet, Wash. Local interests at Dayton have attempted to provide their own flood protection, but as they have been unable to finance a comprehensive protection system, their efforts have not been effective. A report on the flood conditions on the Touchet River has been transmitted to Congress by the Chief of Engineers in accordance with an authorization from Congress.

The Chief of Engineers found that floods occur frequently on the Touchet River and that the area between the towns of Dayton and Prescott are particularly vulnerable to flooding. He finds that complete protection of this area is not economically justified at this time, but that a plan for the protection of Dayton is now warranted. The plan recommended by the Chief of Engineers consists of the construction of levees together with enlargement and rectification of the stream channel at an estimated cost to the United States of \$146,000.

The committee find this project meritorious and economically justified and recommend its adoption.

WALLA WALLA RIVER, OREG. AND WASH.

(H. Doc. No. 719, 76th Cong., 3d sess.)

The Walla Walla River rises near Milton, Oreg., and flows northwest past Milton and Freewater into the State of Washington, where it turns westward to join the Columbia River at Wallula, Wash. Warm spring rains and melting snows cause sudden floods which rush down the steep slopes of the headwater tributaries to overflow Milton and Freewater and rich delta lands that are traversed by a network of irrigation canals and are intensely farmed for vegetables and fruit. Floods tend to ruin these lands by tearing away rich top soil and leaving gravel spoil in its place. Elimination or deterioration of these richly productive lands in times of a national emergency might prove unfortunate to the food stocks of this general section of the country.

The Chief of Engineers recommends construction of levees and channel improvements on the Walla Walla River at and in the vicinity of Milton and Freewater, Oreg., at an estimated cost to the United States of \$567,000 and he also recommends that the existing authorization for the Mill Creek project in the vicinity of Walla Walla, Wash., be increased from \$1,608,000 to \$1,795,000.

After careful consideration of the need for the flood-control improvements referred to, the committee recommend that the work be approved as recommended by the Chief of Engineers.

COWLITZ RIVER AND TRIBUTARIES, WASHINGTON

(H. Doc. No. 721, 76th Cong., 3d sess.)

The Cowlitz River, draining an area one-half the size of the State of Connecticut, rises in the western slopes of the Cascade Range in Washington and flows through rich agricultural lands, cities, and towns to join the Columbia River, 65 miles above its mouth. Because the river is subject to frequent and sudden floods of great intensity, local interests have constructed protective levees along the lower reaches of the river. The most critical situation along the entire river exists at Castle Rock where 2,500 people, urban and farm properties, highway and railroad bridges and other improvements are dependent upon a levee which is inadequate protection from even ordinary flood stages. At higher stages, the weakened dike would give way, flooding farms and cities, and washing out highways, railroads, and communication lines that are important to national defense. Communication between Fort Lewis and Vancouver Barracks would be cut off by a flood disrupting these facilities as the available roads around the danger area are not suitable for transportation requirements or for military use.

To avert this threat to life, property, and transportation, the Chief of Engineers recommends the enlargement of the levee at Castle Rock and the placing of additional revetment at an estimated cost of \$31,000.

The Flood Control Committee believes that this project should be adopted at this time as recommended by the Chief of Engineers.

SECTION 4. PRELIMINARY EXAMINATIONS AND SURVEYS

Section 4 of the bill authorizes and directs the Secretary of War to cause preliminary examinations and surveys for flood control, including floods aggravated by or due to tidal effect, at the localities desig-

nated in said section; and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil erosion prevention on the watersheds of these same localities.

This section is similar to examination and survey sections contained in the Flood Control Acts of 1936, and subsequent acts. The Flood Control Committee has followed its usual policy of including in this section the matter in all bills for examinations and surveys, which have been introduced in Congress since the last general Flood Control Act and which have been reported on favorably by the Departments of War and Agriculture. The committee considered the request for a preliminary examination and survey of Dunlap Creek, tributary to the Monongahela River and found it unnecessary to include such an item since that stream is now being considered in connection with the outstanding report on the Monongahela River and tributaries.

SECTION 5. EMERGENCY FUND

Section 5 authorizes the Secretary of War to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed \$1,000,000 during any one fiscal year to be expended in rescue works or in the repair or maintenance of any flood-control work threatened or destroyed by flood.

SECTION 6. EXTENSION OF CERTAIN RIVER AND HARBOR LAW TO FLOOD-CONTROL WORK

Section 6 provides for the application to flood-control work of certain existing law for river and harbor work pertaining to the acquisition of lands, right of entry to lands, and manner of determining just compensation for lands required for authorized flood-control projects; and for the disposal of lands no longer needed for such work.

SECTION 7. EXTENSION OF LAW AFFECTING THE DEPARTMENT OF AGRICULTURE

Section 7 extends the authority of section 5 of the act approved June 28, 1938 (52 Stat. 1215), to all funds heretofore appropriated for the prosecution by the Secretary of Agriculture of works of improvement for measures of run-off and water-flow retardation and soil-erosion prevention upon watersheds.

SECTION 8. TOTAL AUTHORIZATION IN BILL AND MAINTENANCE

Section 8 authorizes the sum of \$260,000,000 to be appropriated for carrying out the improvements that would be authorized by enactment of the bill H. R. 4911. In the opinion of the Flood Control Committee this total authorization is the minimum authorization needed to insure proper progress on the approved program for Nation-wide flood control and water conservation and to create a desirable reservoir of worthy public works. There is also included in this section an authorization of \$10,000,000 to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examinations and surveys provided for in this act

and any other acts of Congress, to be prosecuted by said Departments; and the additional sum of \$5,000,000 is authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act approved June 28, 1938. The latter figure brings to \$19,000,000 the total authorization that has been made to the Department of Agriculture for this purpose. The committee believes it is fitting at this point in the report to stress that a full and satisfactory hearing on the work of the Department of Agriculture was had and the testimony heard developed that the policy and procedure adopted by the Department of Agriculture is in accordance with the intent of Congress and should continue to be administered in the same manner. The last sentence of section 8 authorizes all appropriations necessary for operation and maintenance of flood-control works authorized by law to be operated and maintained by the United States.

CHANGES IN EXISTING LAW

COMPLIANCE CLAUSE 2 (A), RULE XIII

EXISTING LAW

(Flood Control Act, approved June 22, 1936, Public, No. 738, 74th Cong.)

SEC. 3. That hereafter no money appropriated under authority of this Act shall be expended on the construction of any project until States, political subdivisions thereof, or other responsible local agencies have given assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction of the project, except as otherwise provided herein; (b) hold and save the United States free from damages due to the construction works; (c) maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War: *Provided*, That the construction of any dam authorized herein may be undertaken without delay when the dam site has been acquired and the assurances prescribed herein have been furnished, without awaiting the acquisition of the easements and rights-of-way required for the reservoir area: *And provided further*, That whenever expenditures for lands, easements, and rights-of-way by States, political subdivisions thereof, or responsible local agencies for any individual project or useful part thereof shall have exceeded the present estimated construction cost therefor, the local agency concerned may be reimbursed one-half of its excess expenditures over said estimated construction cost: *And provided further*, That when benefits of any project or useful part thereof accrue to lands and

THIS BILL

SEC. 2. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this Act, except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: * * *

EXISTING LAW

THIS BILL

property outside of the State in which said project or part thereof is located, the Secretary of War with the consent of the State wherein the same are located may acquire the necessary lands, easements, and rights-of-way for said project or part thereof after he has received from the States, political subdivisions thereof, or responsible local agencies benefited the present estimated cost of said lands, easements, and rights-of-way, less one-half the amount by which the estimated cost of these lands, easements, and rights-of-way exceeds the estimated construction cost corresponding thereto: *And provided further*, That the Secretary of War shall determine the proportion of the present estimated cost of said lands, easements, and rights-of-way that each State, political subdivision thereof, or responsible local agency should contribute in consideration for the benefits to be received by such agencies: *And provided further*, That whenever not less than 75 per centum of the benefits as estimated by the Secretary of War of any project or useful part thereof accrue to lands and property outside of the State in which said project or part thereof is located, provision (c) of this section shall not apply thereto; nothing herein shall impair or abridge the powers now existing in the Department of War with respect to navigable streams: *And provided further*, That nothing herein shall be construed to interfere with the completion of any reservoir or flood-control work authorized by the Congress and now under way.

(Flood Control Act, approved June 28, 1938, Public, No. 761, 75th Cong.)

SEC. 2. That section 3 of the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as heretofore amended and as herein further modified, shall apply to all flood control projects, except as otherwise specifically provided by law.

That in case of any dam and reservoir project, or channel improvement or channel rectification project for flood control, herein authorized or heretofore authorized by the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended, and by the Act of May 15, 1928 (Public, Numbered 391, Seventieth Congress), as amended by the act of June 15, 1936 (Public, Numbered 678, Seventy-fourth Congress), as amended, title to all lands, easements, and rights-of-way for such project shall be acquired by the United States or by States, political subdivisions

EXISTING LAW

THIS BILL

thereof or other responsible local agencies and conveyed to the United States, and provisions (a), (b), and (c) of Section 3 of said Act of June 22, 1936, shall not apply thereto. Notwithstanding any restrictions, limitations, or requirement of prior consent provided by any other Act, the Secretary of War is hereby authorized and directed to acquire in the name of the United States title to all lands, easements, and rights-of-way necessary for any dam and reservoir project or channel improvement or channel rectification project for flood control, with funds heretofore or hereafter appropriated or made available for such projects, and States, political subdivisions thereof, or other responsible local agencies, shall be granted and reimbursed, from such funds, sums equivalent to actual expenditures deemed reasonable by the Secretary of War and the Chief of Engineers and made by them in acquiring lands, easements, and rights-of-way for any dam and reservoir project, or any channel improvement or channel rectification project for flood control heretofore or herein authorized: *Provided*, That no reimbursement shall be made for any indirect or speculative damages: *Provided further*, That lands easements and rights-of-way shall include lands on which dams, reservoirs, channel improvements, and channel rectifications are located; lands or flowage rights in reservoirs and highway, railway, and utility relocation.

(Sec. 1, Flood Control Act, approved August 28, 1937, Public, No. 406, 75th Cong.)

That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows under the heading "Ohio River Basin" in section 5:

"Levees, floodwalls, and drainage structures: Construction of levees, floodwalls, and drainage structures for the protection of cities and towns in the Ohio River Basin, the projects to be selected by the Chief of Engineers with the approval of the Secretary of War, in accordance with the report of the Chief of Engineers in House Committee on Flood Control Document Numbered 1, Seventy-fifth Congress, first session, at a cost not to exceed \$24,877,000 for construction which is hereby authorized to be appropriated

SEC. 2. * * * *Provided*, That the third proviso of section 1 of the Flood Control Act of August 28, 1937, and all of section 8 of the Flood Control Act of August 11, 1939, are hereby repealed: * * *

EXISTING LAW

THIS BILL

for this purpose: *Provided*, That the protection for Pittsburgh, Pennsylvania, is to be interpreted as applying to the metropolitan district of Pittsburgh: *Provided further*, That the local cooperation required by section 3 is complied with: *Provided further*, That if, after investigation, the President finds that any city or town is, by reason of its financial condition, unable to comply with the requirements of section 3 as to local cooperation, he is hereby authorized to waive such requirements on any individual project not to exceed 50 per centum of the estimated costs of the lands, easements, and rights-of-way: *Provided further*, That any funds appropriated for the fiscal year 1938 to carry out the provisions of the Flood Control Act of June 22, 1936, may be used for plant, material, supervisory, and skilled services necessary in the execution of the projects authorized herein, with relief labor furnished under the provisions of the Emergency Relief Appropriation Act of 1937.

(Flood Control Act, approved August 11, 1939, Public, No. 396, 76th Cong.)

SEC. 8. In the case of any local flood-protection work in the Ohio River Basin authorized to be prosecuted by the provisions of section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938, the President is authorized to waive the requirements of section 3 of the Flood Control Act, approved June 22, 1936, with respect to local cooperation to the extent of not to exceed 50 per centum of the estimated cost of the lands, easements, and rights-of-way required for such work, if he finds, after investigation, that the city or town to be benefited by such work is, by reason of its financial condition, unable to comply with the requirements of such section 3 with respect to local cooperation.

(Act for flood control, Mississippi River, approved June 15, 1936, Public, No. 678, 74th Cong.)

LOWER MISSISSIPPI RIVER

SEC. 1. * * * That the project for the control of floods of the Mississippi River and its tributaries, adopted by Public Act Numbered 391, approved May 15, 1928 (45 Stat. 534), Seventieth Congress, entitled "An Act for the control of floods on the Mississippi River and its tributaries, and for other pur- The project for flood control of the Lower Mississippi River adopted by the Act of May 15, 1928, as amended by the Act of June 15, 1936, as amended by the Acts of August 28, 1937, and June 28, 1938, is hereby modified and, as modified, is hereby authorized and adopted, and the Flood Control Act of

EXISTING LAW

poses," is hereby modified in accordance with the recommendations of section 43 of the report submitted by the Chief of Engineers to the Chairman of the Committee on Flood Control, dated February 12, 1935, and printed in House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session, as hereinafter further modified and amended; and as so modified is hereby adopted and authorized and directed to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers.

SEC. 2. That the Boeuf Floodway, authorized by the provisions adopted in the Flood Control Act of May 15, 1928, shall be abandoned as soon as the Eudora Floodway, provided for in Flood Control Committee Document Numbered 1, Seventy-fourth Congress, first session, is in operative condition and the back-protection levee recommended in said document, extending north from the head of the Eudora Floodway, shall have been constructed.

SEC. 4. That neither of the projects for the flood control of the Saint Francis River or the Yazoo River, hereby authorized, shall be undertaken until the States, or other qualified agencies, shall have furnished satisfactory assurances that they will undertake, without cost to the United States, all alterations of highways made necessary because of the construction of the authorized reservoirs, and meet all damages because of such highway alterations, and have agreed also to furnish without cost to the United States all lands and easements necessary to the construction of levees and drainage ditches constructed under this project: *Provided*, That the reservoirs for control of headwater flow of the Yazoo River system may be located by the Chief of Engineers, in his discretion: *And provided further*, That the Chief of Engineers may, in his discretion, substitute levees, floodways, or auxiliary channels, or any or all of them, for any or all of the seven detention reservoirs recommended in his report of February 12, 1935, for the control of floods of the Yazoo River: *And provided further*, That the Chief of Engineers, with the approval of the Secretary of War, may modify the project for the flood control of the Saint Francis River as recommended in said report, to include therein the construction of a detention reservoir for the reduction of floods, and the acquisition at the cost of the

THIS BILL

June 15, 1936, as amended, is amended as follows:

(a) The existing engineering plan for flood control in the alluvial valley of the Mississippi River is hereby modified so as to provide for the construction of plan 4 as set forth in the report of the Mississippi River Commission, dated March 7, 1941, to the Chief of Engineers, except that the levees in the Yazoo Basin on the east bank of the Mississippi River south of the Coahoma-Bolivar County line in said plan shall have a three-foot freeboard over the project flood, and all levees shall be constructed with adequate section and foundation to conform to increased levee heights. The Boeuf Floodway in the project adopted by the Act of May 15, 1928, and the Eudora Floodway as well as the Northward Extension and the back protection levee extending from the head of the said Eudora Floodway north to the Arkansas River in the project, adopted by the Act of June 15, 1936, as amended, are hereby abandoned, and the provisions of said Acts relating to the prosecution of work on said floodways and extension are hereby repealed.

(b) The project for flood control of the Yazoo River shall be as authorized by the Flood Control Act approved June 15, 1936, as amended by section 2 of the Act approved June 28, 1938, except that the Chief of Engineers may, in his discretion, from time to time, substitute therefor combinations of reservoirs, levees, and channel improvements; and except that the improvements contemplated in plan C of the report of March 7, 1941, of the Mississippi River Commission are authorized, including the extension of the levee on the east bank of the Mississippi River generally along the west bank of the Yazoo River to a connection in the vicinity of Yazoo City with the Yazoo River levee, authorized by the existing project for protection against headwater floods of the Yazoo River system, and the adjustment in the discretion of the Chief of Engineers of the grades of the existing levees in the backwater area on the east bank of Yazoo River below Yazoo City, all at an estimated additional cost of \$11,982,000: *Provided*, That the Chief of Engineers shall fix the grade of the extension levees along the Yazoo River, with higher levees in his discretion, so that their construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local author-

EXISTING LAW

United States of all lands and flowage necessary to the construction of said reservoir except flowage of highways: *Provided further*, That the estimated cost to the United States of the project is not increased by reason of such detention reservoir.

(Act of August 28, 1937, Public, No. 406, 75th Cong.)

SEC. 6. That the Chief of Engineers may, in his discretion, modify the project for the control of floods on the Yazoo River, as authorized by Public Act Numbered 678, approved June 15, 1936, to substitute therefor a combined reservoir floodway and levee plan: *Provided*, That the total cost thereof does not exceed the present authorization as estimated in House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session: *Provided further*, That the modified project shall be subject to the following conditions of local cooperation:

No work shall be undertaken until the States or other qualified agencies have furnished satisfactory assurances that they will—

(a) undertake, without cost to the United States, all alterations of highways made necessary because of the construction of reservoirs and meet all damages because of such highway alterations; and

(b) furnish, without cost to the United States, all lands and easements necessary to the construction of levees and drainage ditches.

(Act for Flood Control, Mississippi River, approved May 15, 1928, Public, No. 391, 70th Cong.)

SEC. 3. Except when authorized by the Secretary of War upon the recommendation of the Chief of Engineers, no money appropriated under authority of this Act shall be expended on the construction of any item of the project until the States or levee districts have given assurances satisfactory to the Secretary of War that they will (a) maintain all flood-control works after their completion, except controlling and regulating spillway structures, including special relief levees; maintenance includes normally such matters as cutting grass, removal of weeds, local drainage, and minor repairs of main river levees; (b) agree to accept land turned over to them under the provisions of section 4; (c) provide without cost to the United States, all rights-of-way for levee foundations and levees on the main stem of the Mississippi River between Cape Girardeau, Missouri, and the Head of Passes;

THIS BILL

ities shall furnish satisfactory assurances that they will (1) maintain the levees in accordance with the provisions of section 3 of the Act of May 15, 1928, and will (2) not raise the levees in the backwater above the limiting elevations established therefor by the Chief of Engineers.

(d) The Chief of Engineers, with approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to be reasonable, for providing at the request of the United States, in accordance with local legal procedure or custom, rights-of-way and flowage easements required for future set-backs of main-line Mississippi River levees.

EXISTING LAW

THIS BILL

(Act for flood control, Mississippi River, approved June 15, 1936, Public, No. 678, 74th Cong.)

Sec. 4. That neither of the projects for the flood control of the Saint Francis River or the Yazoo River, hereby authorized, shall be undertaken until the States, or other qualified agencies, shall have furnished satisfactory assurances that they will undertake, without cost to the United States, all alterations of highways made necessary because of the construction of the authorized reservoirs, and meet all damages because of such highway alterations, and have agreed also to furnish without cost to the United States all lands and easements necessary to the construction of levees and drainage ditches constructed under this project: *Provided*, That the reservoirs for control of headwater flow of the Yazoo River system may be located by the Chief of Engineers, in his discretion: *And provided further*, That the Chief of Engineers may, in his discretion, substitute levees, floodways, or auxiliary channels, or any or all of them, for any or all of the seven detention reservoirs recommended in his report of February 12, 1935, for the control of floods of the Yazoo River: *And provided further*, That the Chief of Engineers, with the approval of the Secretary of War, may modify the project for the flood control of the Saint Francis River as recommended in said report, to include therein the construction of a detention reservoir for the reduction of floods, and the acquisition at the cost of the United States of all lands and flowage necessary to the construction of said reservoir except flowage of highways: *Provided further*, That the estimated cost to the United States of the project is not increased by reason of such detention reservoir.

(Flood Control Act approved June 28 1938, Public, No. 761, 75th Cong.)

* * * *Provided further*, That no part of the appropriations herein or heretofore authorized for said Morganza and Eudora floodways and extension shall be used for any other purpose.

(e) The existing engineering plan for flood control of the Saint Francis River is hereby modified so as to permit the substitution for the suspended portions of the original project below Oak Donnick, Arkansas, of the construction of a ditch in Cross County, Arkansas, beginning in the vicinity of the outlet end of the existing Oak Donnick to Saint Francis Bay floodway and terminating in Saint Francis Bay about two miles north of Riverfront, including the construction of a highway bridge at State Highway Numbered 42 made necessary by the ditch construction: *Provided*, That local interests give assurances satisfactory to the Secretary of War that they will (1) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction; (2) hold and save the United States free from damages due to the construction works; and (3) maintain the works after completion in accordance with regulations prescribed by the Secretary of War.

(f) The total authorizations heretofore made for the flood-control project of the alluvial valley of the Mississippi River shall not be increased by reason of any provision in this Act, except for the additional amounts necessary for the Yazoo and Red River backwater improvements, and any appropriations heretofore or hereafter made or authorized for said project as herein or heretofore modified may be expended upon any feature of the said project, notwithstanding any restrictions, limitations, or requirements of existing law:

EXISTING LAW

(Flood Control Act approved June 28, 1938, Public, No. 761, 75th Cong.)

SEC. 5. That, in carrying out the purposes of this Act, the Secretary of War and the Secretary of Agriculture are hereby authorized to cooperate with institutions, organizations, and individuals, and to utilize the services of Federal, State, and other public agencies, and to pay by check to the cooperating public agency, either in advance or upon the furnishing or performance of said services, all or part of the estimated or actual cost thereof; and to make expenditures for personal services and rent in the District of Columbia and elsewhere, for purchase of reference and law books and periodicals, for printing and binding, for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motor boats for official use, and for other necessary expenses.

THIS BILL

Provided, That funds hereafter expended for maintenance shall not be considered as reducing present remaining balances of authorizations.

SEC. 7. Section 5 of the Act approved June 28, 1938 (52 Stat. 1215), is amended by striking out the words "in carrying out the purposes of this Act" and inserting in lieu thereof the words "in carrying out the purposes of the Act of June 22, 1936 (49 Stat. 1570), as amended and supplemented"; and by adding to the end of said section the following sentence: "The provisions of this section shall be applicable to any funds heretofore appropriated for the prosecution by the Secretary of Agriculture of works of improvement for measures of run-off and waterflow retardation and soil-erosion prevention upon watersheds."







Union Calendar No. 257

77TH CONGRESS
1ST SESSION

H. R. 4911

[Report No. 759]

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 1941

Mr. WHITTINGTON introduced the following bill: which was referred to the
Committee on Flood Control

JUNE 9, 1941

Committed to the Committee of the Whole House on the state of the Union
and ordered to be printed

A BILL

Authorizing the construction of certain public works on rivers and
harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That hereafter Federal investigations and improvements of
4 rivers and other waterways for flood control and allied pur-
5 poses shall be under the jurisdiction of and shall be prose-
6 cuted by the War Department under the direction of the
7 Secretary of War and supervision of the Chief of Engineers,
8 and Federal investigations of watersheds and measures for
9 run-off and waterflow retardation and soil-erosion prevention
10 on watersheds shall be under the jurisdiction of and shall be
11 prosecuted by the Department of Agriculture under the

1 direction of the Secretary of Agriculture, except as other-
2 wise provided by Act of Congress.

3 SEC. 2. That section 3 of the Act approved June 22,
4 1936 (Public, Numbered 738, Seventy-fourth Congress),
5 as amended by section 2 of the Act approved June 28, 1938
6 (Public, Numbered 761, Seventy-fifth Congress), shall apply
7 to all works authorized in this Act, except that for any
8 channel improvement or channel rectification project provi-
9 sions (a), (b), and (c) of section 3 of said Act of June
10 22, 1936, shall apply thereto, and except as otherwise
11 provided by law: *Provided*, That the third proviso of section
12 1 of the Flood Control Act approved August 28, 1937
13 (Public, Numbered 406, 75th Congress) and all of section
14 8 of the Flood Control Act approved August 11, 1939,
15 (Public, Numbered 396, 76th Congress) are hereby re-
16 pealed: *Provided further*, That the authorization for any
17 flood-control project heretofore or herein adopted requiring
18 local cooperation shall expire five years from the date of
19 approval of this Act unless local interests shall within
20 said time furnish assurances satisfactory to the Secretary of
21 War that the required cooperation will be furnished: *And*
22 *provided further*, That in any case where the total authoriza-
23 tion for a project heretofore or hereafter authorized by Con-
24 gress is not sufficient to complete plans that may have been
25 made the Chief of Engineers is authorized in his discretion to

1 plan and make expenditures on preparations for the project,
2 such as the purchase of lands, easements, and rights-of-way;
3 readjustments of roads, railroads, and other utilities; removal
4 of towns, cemeteries, and dwellings from reservoir sites; and
5 the construction of foundations. The Chief of Engineers is
6 also authorized in his discretion to modify the plan for any
7 dam or other work heretofore or hereafter authorized so that
8 such dam or work will be smaller than originally planned
9 with a view to completing a useful improvement within an
10 authorization: *Provided*, That the smaller structure shall be
11 located on the chosen site so that it will be feasible at some
12 future time to enlarge the work in order to permit the full
13 utilization of the site for all purposes of conservation such as
14 flood control, navigation, reclamation, the development of
15 hydroelectric power, and the abatement of pollution.

16 SEC. 3. That the following works of improvement for
17 the benefit of navigation and the control of destructive flood-
18 waters and other purposes are hereby adopted and author-
19 ized in the interest of national security and the stabilization
20 of employment, and shall be prosecuted as speedily as may
21 be consistent with budgetary requirements, under the direc-
22 tion of the Secretary of War and the supervision of the Chief
23 of Engineers in accordance with the plans in the respective
24 reports hereinafter designated and subject to the conditions
25 set forth therein: *Provided*, That penstocks or other similar

1 facilities adapted to possible future use in the development
2 of hydroelectric power shall be installed in any dam herein
3 authorized when approved by the Secretary of War upon
4 the recommendation of the Chief of Engineers and of the
5 Federal Power Commission:

6 CONNECTICUT RIVER BASIN

7 In addition to previous authorizations, there is hereby
8 authorized to be appropriated the sum of \$6,000,000 for
9 local protection works and \$10,000,000 for reservoirs for the
10 prosecution of the comprehensive plan approved in the Act
11 of June 28, 1938, for the Connecticut River Basin, and such
12 comprehensive plan is hereby modified to include the works
13 recommended by the Chief of Engineers in House Document
14 Numbered 653, Seventy-sixth Congress, third session, and
15 House Document Numbered 724, Seventy-sixth Congress,
16 third session, with such further modifications as may be found
17 justifiable in the discretion of the Secretary of War and the
18 Chief of Engineers.

19 The Secretary of War is authorized to reimburse the
20 city of Hartford, Connecticut, the sum of \$252,000 hereto-
21 fore contributed to the United States by said city for the
22 realignment of the South Meadows section of the flood-
23 protection works in accordance with the plans contained
24 in House Document Numbered 653, Seventy-sixth Congress,
25 third session: *Provided*, That there shall be deducted from

1 the aforementioned sum any reimbursement which may be
2 made to said city pursuant to the provisions of section 1 of
3 the War Department Civil Appropriation Act, 1938,
4 approved July 19, 1937.

5 THAMES RIVER BASIN

6 The plan for a system of reservoirs and channel im-
7 provements in the Thames River Basin, Connecticut, Rhode
8 Island, and Massachusetts, in accordance with the recommen-
9 dation of the Chief of Engineers in House Document Num-
10 bered 885, Seventy-sixth Congress, third session, is ap-
11 proved, and there is hereby authorized \$6,000,000 for
12 initiation and partial accomplishment of the project.

13 PAWTUXET RIVER BASIN

14 The project for local flood protection on the North
15 Branch of Pawtuxet River at Clyde, Rhode Island, and for
16 the Pontiac diversion is hereby authorized to be constructed
17 substantially in accordance with the recommendation of the
18 Chief of Engineers in House Document Numbered 747,
19 Seventy-sixth Congress, third session, at an estimated cost
20 of \$1,320,000.

21 HUDSON RIVER BASIN

22 The projects adopted by the Act of June 22, 1936, to
23 provide for local flood-protection works in the Hoosic River
24 Basin at North Adams in Massachusetts; at Hoosick Falls,
25 New York, and at Bennington, Vermont, are hereby modi-

1 fied and extended to include the town of Adams, Massa-
2 chusetts, in accordance with the recommendation of the Chief
3 of Engineers in House Document Numbered 182, Seventy-
4 sixth Congress, first session, and are authorized to be con-
5 structed substantially in accordance with said recommenda-
6 tion at an estimated cost of \$2,170,000.

7 LAKE CHAMPLAIN BASIN

8 The project for local flood protection on the Winooski
9 River at Waterbury, Vermont, is hereby authorized to be
10 constructed substantially in accordance with the recommenda-
11 tion of the Chief of Engineers in House Document Num-
12 bered 656, Seventy-sixth Congress, third session, at an
13 estimated cost of \$880,000.

14 The project adopted by the Act of June 22, 1936, to
15 provide for local flood-protection works on Otter Creek at
16 Rutland, Vermont, is hereby modified in accordance with the
17 recommendation of the Chief of Engineers in Senate Docu-
18 ment Numbered 171, Seventy-sixth Congress, third session,
19 and is authorized to be constructed substantially in accord-
20 ance with said recommendation at an estimated cost of
21 \$308,000.

22 OSWEGO RIVER BASIN

23 The projects for flood control and other purposes at
24 Canandaigua, Keuka, and Owasco Lakes, and at Hammonds-
25 port, Watkins Glen, Montour Falls, Ithaca, and Syracuse,

1 New York, are hereby authorized to be constructed substan-
2 tially in accordance with the recommendation of the Chief
3 of Engineers in House Document Numbered 846, Seventy-
4 sixth Congress, third session, at an estimated cost of
5 \$3,220,000.

6 SUSQUEHANNA RIVER BASIN

7 The project adopted by the Act of June 22, 1936,
8 to provide for local flood-protection works on the Susque-
9 hanna River at Sunbury, Pennsylvania, is hereby modified
10 in accordance with the recommendation of the Chief of
11 Engineers in House Document Numbered 366, Seventy-
12 sixth Congress, first session, and is authorized to be con-
13 structed substantially in accordance with said recommenda-
14 tion at an estimated cost of \$1,900,000.

15 DELAWARE RIVER BASIN

16 The project for local flood protection on Rancocas Creek
17 in the vicinity of Mount Holly, New Jersey, is hereby au-
18 thorized to be constructed substantially in accordance with
19 the recommendation of the Chief of Engineers in House
20 Document Numbered 128, Seventy-seventh Congress, first
21 session, at an estimated cost of \$300,000.

22 MOBILE RIVER BASIN

23 The project for local flood protection at Prattville,
24 Alabama, on Autauga Creek, a tributary of the Alabama-
25 Coosa River, is hereby authorized to be constructed sub-

1 stantially in accordance with the recommendation of the
2 Chief of Engineers in House Document Numbered 657,
3 Seventy-sixth Congress, third session, at an estimated cost
4 of \$530,000.

5 The plan for the Allatoona Reservoir on the Etowah
6 River in the Coosa River Basin, Georgia, for flood control
7 and other purposes in accordance with the recommendation
8 of the Chief of Engineers in House Document Numbered
9 674, Seventy-sixth Congress, third session, is approved and
10 there is hereby authorized \$3,000,000 for initiation and
11 partial accomplishment of the project.

12 The project for flood control on the Tombigbee River
13 authorized by the Act of June 22, 1936, is hereby modified
14 to provide for additional channel improvements and related
15 works for flood control for the Tombigbee River and tribu-
16 taries above the mouth of and including the Noxubee River
17 in accordance with plans approved by the Chief of Engineers
18 at an estimated cost of \$150,000.

19 COLORADO RIVER BASIN (TEXAS)

20 The plan for improvement of the Lower Colorado River,
21 Texas, for flood control in accordance with the recommenda-
22 tion of the Chief of Engineers in House Document Numbered
23 312, Seventy-sixth Congress, first session, is approved and
24 there is hereby authorized \$6,500,000 for the construction
25 of the project.

1 The plan for San Angelo Reservoir for flood control and
2 other purposes on the North Concho River, Texas, and for
3 local flood-protection works at San Angelo, Texas, in ac-
4 cordance with the recommendation of the Chief of Engi-
5 neers in House Document Numbered 315, Seventy-sixth
6 Congress, first session, is approved and there is hereby au-
7 thorized \$2,000,000 for initiation and partial accomplish-
8 ment of the project.

9 The plan for Hords Creek Reservoir and for enlarge-
10 ment of the existing Lake Brownwood Reservoir for flood
11 control and other purposes on Pecan Bayou and its tribu-
12 taries in Texas, in accordance with the recommendation of
13 the Chief of Engineers in House Document Numbered 370,
14 Seventy-sixth Congress, first session, is approved and there
15 is hereby authorized \$1,400,000 for initiation and partial
16 accomplishment of the project, including \$460,000 for the
17 Hords Creek Reservoir.

18 The project for local flood protection on Brady Creek at
19 Brady, Texas, is hereby authorized to be constructed sub-
20 stantially in accordance with the recommendation of the Chief
21 of Engineers in House Document Numbered 441, Seventy-
22 sixth Congress, first session, at an estimated cost of \$825,000.

23

BRAZOS RIVER BASIN

24 The plan for Whitney Reservoir on the Brazos River
25 in Texas, for flood control and other purposes in accordance

1 with the recommendation of the Chief of Engineers in House
2 Document Numbered 390, Seventy-sixth Congress, first
3 session, is approved and there is hereby authorized \$5,000,-
4 000 for the initiation and partial accomplishment of the
5 project.

6 LOWER MISSISSIPPI RIVER

7 The project for flood control of the Lower Mississippi
8 River adopted by the Act of May 15, 1928, as amended by
9 the Act of June 15, 1936, as amended by the Acts of
10 August 28, 1937, and June 28, 1938, is hereby modified
11 and, as modified, is hereby authorized and adopted, and
12 the Flood Control Act of June 15, 1936, as amended, is
13 amended as follows:

14 (a) The existing engineering plan for flood control in
15 the alluvial valley of the Mississippi River is hereby modified
16 so as to provide for the construction of plan 4 as set forth
17 in the report of the Mississippi River Commission, dated
18 March 7, 1941, to the Chief of Engineers, except that the
19 levees in the Yazoo Basin on the east bank of the Mississippi
20 River south of the Coahoma-Bolivar County line in said
21 plan shall have a three-foot freeboard over the project flood,
22 and all levees shall be constructed with adequate section and
23 foundation to conform to increased levee heights. The Boeuf
24 Floodway in the project adopted by the Act of May 15,
25 1928, and the Eudora Floodway as well as the Northward

1 Extension and the back protection levee extending from the
2 head of the said Eudora Floodway north to the Arkansas
3 River in the project adopted by the Act of June 15, 1936,
4 as amended, are hereby abandoned, and the provisions of
5 said Acts relating to the prosecution of work on said flood-
6 ways and extension are hereby repealed.

7 (b) The project for flood control of the Yazoo River
8 shall be as authorized by the Flood Control Act approved
9 June 15, 1936, as amended by section 2 of the Act ap-
10 proved June 28, 1938, except that the Chief of Engineers
11 may, in his discretion, from time to time, substitute therefor
12 combinations of reservoirs, levees, and channel improve-
13 ments; and except that the improvements contemplated in
14 plan C of the report of March 7, 1941, of the Mississippi
15 River Commission are authorized, including the extension of
16 the levee on the east bank of the Mississippi River generally
17 along the west bank of the Yazoo River to a connection in
18 the vicinity of Yazoo City with the Yazoo River levee,
19 authorized by the existing project for protection against
20 headwater floods of the Yazoo River system, and the adjust-
21 ment in the discretion of the Chief of Engineers of the grades
22 of the existing levees in the backwater area on the east
23 bank of Yazoo River below Yazoo City, all at an estimated
24 additional cost of \$11,982,000: *Provided*, That the Chief
25 of Engineers shall fix the grade of the extension levees along

1 the Yazoo River, with higher levees in his discretion, so
2 that their construction will give the maximum practical
3 protection without jeopardizing the safety and integrity of
4 the main Mississippi River levees: *And provided further,*
5 That prior to the beginning of construction local authorities
6 shall furnish satisfactory assurances that they will (1) main-
7 tain the levees in accordance with the provisions of section 3
8 of the Act of May 15, 1928, and will (2) not raise the
9 levees in the backwater above the limiting elevations estab-
10 lished therefor by the Chief of Engineers.

11 (c) The construction of a levee and improvements con-
12 templated in the report of March 7, 1941, of the Mississippi
13 River Commission from the main-line levee on the west bank
14 of the Mississippi River in the vicinity of Shaw, Louisiana,
15 westward and northward to the vicinity of Newlight,
16 Louisiana, for the protection of that part of the Red River
17 backwater known as the Tensas-Cocodrie area at an esti-
18 mated cost of \$6,976,000 is hereby authorized: *Provided,*
19 That the Chief of Engineers shall fix the grade of said
20 levee, with a higher levee in his discretion, so that its con-
21 struction will give the maximum practical protection without
22 jeopardizing the safety and integrity of the main Mississippi
23 River levees: *And provided further,* That prior to the begin-
24 ning of construction local authorities shall furnish satisfactory
25 assurances that they will (1) maintain the levee in accord-

1 ance with the provisions of section 3 of the Act of May 15,
2 1928, and will (2) not raise the said levee above the limiting
3 elevations established therefor by the Chief of Engineers.

4 (d) The Chief of Engineers, with approval of the Sec-
5 retary of War, shall reimburse local authorities for actual
6 expenditures found by the Chief of Engineers to be reason-
7 able, for providing at the request of the United States, in
8 accordance with local legal procedure or custom, rights-of-
9 way and flowage easements required for future setbacks of
10 main-line Mississippi River levees.

11 (e) The existing engineering plan for flood control of
12 the Saint Francis River is hereby modified so as to permit
13 the substitution for the suspended portions of the original
14 project below Oak Donnick, Arkansas, of the construction
15 of a ditch in Cross County, Arkansas, beginning in the vicin-
16 ity of the outlet end of the existing Oak Donnick to Saint
17 Francis Bay floodway and terminating in Saint Francis Bay
18 about two miles north of Riverfront, including the construc-
19 tion of a highway bridge at State Highway Numbered 42
20 made necessary by the ditch construction: *Provided*, That
21 local interests give assurances satisfactory to the Secretary
22 of War that they will (1) provide without cost to the United
23 States all lands, easements, and rights-of-way necessary for
24 the construction; (2) hold and save the United States free
25 from damages due to the construction works; and (3) main-

1 tain the works after completion in accordance with regula-
2 tions prescribed by the Secretary of War.

3 (f) The total authorizations heretofore made for the
4 flood control project of the alluvial valley of the Mississippi
5 River shall not be increased by reason of any provision in
6 this Act, except for the additional amounts necessary for the
7 Yazoo and Red River backwater improvements, and any
8 appropriations heretofore or hereafter made or authorized for
9 said project as herein or heretofore modified may be ex-
10 pended upon any feature of the said project, notwithstanding
11 any restrictions, limitations, or requirements of existing law:
12 *Provided*, That funds hereafter expended for maintenance
13 shall not be considered as reducing present remaining bal-
14 ances of authorizations.

15 The project for flood control on the Homochitto River
16 in Mississippi, authorized by the Act of June 22, 1936
17 (Public, Numbered 738, Seventy-fourth Congress), and
18 modified by the Act of June 28, 1938 (Public, Numbered
19 761, Seventy-fifth Congress), is hereby further modified to
20 provide for additional channel improvements and related
21 works for flood control on the Homochitto River and tribu-
22 taries in accordance with plans approved by the Chief of
23 Engineers, and for the execution of these plans there is hereby
24 authorized \$50,000.

RED-OUACHITA RIVER BASIN

The project for local flood protection on the Ouachita River near Calion, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 427, Seventy-sixth Congress, first session, at an estimated cost of \$50,000.

The project for local protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby amended to add and authorize the following: Levee enlargement, new levee extension, and the construction of appurtenant drainage structures on the left bank of the Red River opposite Alexandria for the protection of Pineville, Louisiana, and vicinity, at an estimated cost to the United States of \$159,100, subject to the provisions of section 3 of the Act approved June 22, 1936.

The project for local flood protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby further amended to include and to authorize the following: Levees and appurtenant drainage works on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette, and the separation of

1 the channels of Bayous Darrow and Rigolette in the Aloha-
2 Rigolette area, Grant and Rapides Parish, Louisiana, all at
3 an estimated cost to the United States of \$914,500, subject
4 to the provisions of section 3 of the Flood Control Act
5 approved June 22, 1936.

6 The plan for the Narrows Reservoir for flood control
7 and other purposes on the Little Missouri River, Arkansas,
8 and for local flood protection on the main river below Mur-
9 freesboro and on the Terre Noire and Ozan Creeks, sub-
10 stantially in accordance with recommendation of the Chief
11 of Engineers in House Document Numbered 837, Seventy-
12 sixth Congress, third session, is approved and there is hereby
13 authorized \$3,000,000 for initiation and partial accomplish-
14 ment of the project.

15 WHITE RIVER BASIN

16 In addition to previous authorizations, there is hereby
17 authorized to be appropriated the sum of \$24,000,000 for
18 the prosecution of the comprehensive plan approved in the
19 Act of June 28, 1938, for the White River Basin in Missouri
20 and Arkansas, including the projects for flood control and
21 other purposes recommended by the Chief of Engineers in
22 House Document Numbered 917, Seventy-sixth Congress,
23 third session, and the modifications in the Norfolk Reservoir
24 project recommended by the Chief of Engineers.

25 The projects for local flood protection on the White

1 River, on the east side between Augusta and Clarendon,
2 Arkansas, and at the town of De Valls Bluff, Arkansas, are
3 hereby authorized to be constructed substantially in accord-
4 ance with the recommendation of the Chief of Engineers in
5 House Document Numbered 98, Seventy-sixth Congress,
6 first session, at an estimated cost of \$2,847,500.

7 ARKANSAS RIVER BASIN

8 The general comprehensive plan for flood control and
9 other purposes, approved by the Act of June 28, 1938, for
10 the Arkansas River Basin, is hereby modified to include the
11 reservoirs in the Grand (Neosho) River Basin in Oklahoma
12 and Missouri, and in the Verdigris River Basin in Kansas,
13 in accordance with the recommendations of the Chief of
14 Engineers in House Documents Numbered 107 and 440 of
15 the Seventy-sixth Congress, first session. In addition to
16 previous authorizations, there is hereby authorized to be
17 appropriated the sum of \$29,000,000 for the prosecution of
18 said comprehensive plan.

19 The project for local flood protection on the Salt Fork
20 of the Arkansas River in the vicinity of Cherokee, Oklahoma,
21 is hereby authorized to be constructed substantially in ac-
22 cordance with the recommendation of the Chief of Engineers
23 in House Document Numbered 480, Seventy-sixth Congress,
24 second session, at an estimated cost of \$800,000.

25 The project for local flood protection along the south

1 bank of the Arkansas River between Little Rock and Pine
2 Bluff, Arkansas, is hereby authorized to be constructed sub-
3 stantially in accordance with the recommendation of the
4 Chief of Engineers in House Document Numbered 718,
5 Seventy-sixth Congress, third session, at an estimated cost
6 of \$641,000, with such modifications as may be advisable
7 in the discretion of the Secretary of War and the Chief of
8 Engineers.

9 The project for local flood protection along the north
10 bank of the Arkansas River in the Crawford County Levee
11 District, Arkansas, is hereby authorized to be constructed
12 substantially in accordance with the recommendation of the
13 Chief of Engineers in House Document Numbered 720,
14 Seventy-sixth Congress, third session, at an estimated cost
15 of \$284,000.

16 The project for local flood protection on both sides of
17 the Arkansas River in the immediate vicinity of Tulsa and
18 West Tulsa, Oklahoma, is hereby authorized to be con-
19 structed substantially in accordance with the recommendation
20 of the Chief of Engineers in House Document Numbered
21 157, Seventy-seventh Congress, first session, at an estimated
22 cost of \$513,000.

23

OHIO RIVER BASIN

24

25 In addition to previous authorizations, there is hereby
authorized to be appropriated the sum of \$45,000,000 for

1 the prosecution of the comprehensive plan approved in the
2 Act of June 28, 1938, for the Ohio River Basin, modified to
3 include the Allegheny Reservoir project in accordance with
4 the recommendation of the Chief of Engineers in House
5 Document Numbered 300, Seventy-sixth Congress, first
6 session.

7 TENNESSEE RIVER BASIN

8 The projects for local flood protection on the Tennessee
9 River at Chattanooga, Tennessee, and Rossville, Georgia, are
10 hereby authorized to be constructed substantially in accord-
11 ance with the recommendation of the Chief of Engineers
12 in House Document Numbered 479, Seventy-sixth Congress,
13 second session, at an estimated cost of \$13,500,000.

14 UPPER MISSISSIPPI RIVER BASIN

15 The project adopted by the Act of June 22, 1936, for
16 the Dry Run Reservoir near Decorah, Iowa, is hereby modi-
17 fied to authorize the Chief of Engineers to modify the project
18 so as to provide protection by diversion of floodwaters in
19 accordance with revised plans now on file in his office, at
20 an estimated Federal cost of \$460,000.

21 SEBEWAING RIVER

22 The project for local flood protection on the Sebewaing
23 River in the vicinity of Sebewaing, Michigan, is hereby
24 authorized to be constructed substantially in accordance with
25 the recommendation of the Chief of Engineers in House

1 Document Numbered 286, Seventy-sixth Congress, first ses-
2 sion, at an estimated cost of \$250,000.

3 MISSOURI RIVER BASIN

4 In addition to previous authorizations, there is hereby
5 authorized to be appropriated the sum of \$7,000,000 for the
6 prosecution of the comprehensive plan approved in the Act
7 of June 28, 1938, for the Missouri River Basin, including
8 the project for the Harlan County Reservoir on the Repub-
9 lican River, Nebraska, recommended by the Chief of En-
10 gineers in House Document Numbered 842, Seventy-sixth
11 Congress, third session, and such other supplemental flood-
12 control works on the Republican River as the Secretary of
13 War and the Chief of Engineers may find advisable.

14 The comprehensive plan for the improvement of Cherry
15 Creek and tributaries, Colorado, for flood control and other
16 purposes in accordance with the recommendations of the
17 Chief of Engineers in House Document Numbered 426,
18 Seventy-sixth Congress, first session, is approved and there
19 is hereby authorized \$3,000,000 for the initiation and partial
20 accomplishment of the project.

21 The project for local flood protection on the Platte River
22 in the vicinity of Schuyler, Nebraska, is hereby authorized
23 to be constructed substantially in accordance with the recom-
24 mendation of the Chief of Engineers in House Document

1 Numbered 250, Seventy-sixth Congress, first session, at an
2 estimated cost of \$63,000.

3 The project for local flood protection on the Missouri
4 River and Indian Creek at Council Bluffs, Iowa, is hereby
5 authorized to be constructed substantially in accordance with
6 the recommendation of the Chief of Engineers in House
7 Document Numbered 577, Seventy-sixth Congress, third
8 session, at an estimated cost of \$18,000.

9 The project for the improvement of Fall River and
10 tributaries, South Dakota, for flood control is hereby author-
11 ized to be constructed substantially in accordance with the
12 recommendation of the Chief of Engineers in House Docu-
13 ment Numbered 655, Seventy-sixth Congress, third session,
14 at an estimated cost of \$1,050,000.

15 The project for flood protection in the vicinity of Sioux
16 City, Iowa, and along both banks of the Missouri River be-
17 tween Sioux City and Kansas City for flood control in ac-
18 cordance with the recommendation of the Chief of Engineers
19 in House Document Numbered 821, Seventy-sixth Congress,
20 third session, is approved and there is hereby authorized
21 \$1,000,000 for the initiation and partial accomplishment
22 thereof.

23 The project adopted by the Act of June 22, 1936, to
24 provide flood protection of the Kansas Citys, Kansas and

1 Missouri, is hereby modified to include cut-offs in the vicinity
2 of Liberty Bend substantially in accordance with the recom-
3 mendation of the Chief of Engineers in House Document
4 Numbered 722, Seventy-sixth Congress, third session.

5 SANTA ANA RIVER BASIN

6 In addition to previous authorizations, there is hereby
7 authorized to be appropriated the sum of \$2,500,000 for
8 the prosecution of the projects approved in the Acts of June
9 22, 1936, and June 28, 1938, for flood control in the Santa
10 Ana River Basin and for the protection of Orange County in
11 California.

12 LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA
13 CREEK

14 The general comprehensive plan for flood control and
15 other purposes in the basins of the Los Angeles and San
16 Gabriel Rivers and Ballona Creek as set forth in House
17 Document Numbered 838, Seventy-sixth Congress, third
18 session, is approved, and in addition to previous authoriza-
19 tions there is hereby authorized \$25,000,000 for the partial
20 accomplishment of that plan.

21 SACRAMENTO-SAN JOAQUIN RIVER BASIN

22 The projects for the control of floods and other pur-
23 poses in the Sacramento River, California, adopted by the
24 Acts approved March 1, 1917, May 15, 1928, and August
25 26, 1937, are hereby modified substantially in accordance

1 with the recommendation of the Chief of Engineers in House
2 Document Numbered 205, Seventy-seventh Congress, first
3 session, at an estimated cost of \$10,500,000, and also modi-
4 fied to provide for channel clearing, rectification, snagging,
5 and bank protection on the Sacramento River and tribu-
6 taries in Tehama County, and from Red Bluff southerly,
7 at an additional estimated cost of \$150,000.

8 The project for the Fresno County Stream Group for
9 flood control is hereby authorized to be constructed sub-
10 stantially in accordance with the recommendations of the
11 Chief of Engineers in House Document Numbered 845,
12 Seventy-sixth Congress, third session, at an estimated cost
13 of \$510,000.

14 UMPQUA RIVER BASIN

15 The project for improvement of the Umpqua River in
16 Oregon for flood control is hereby authorized to be con-
17 structed substantially in accordance with the recommenda-
18 tion of the Chief of Engineers in House Document Numbered
19 684, Seventy-sixth Congress, third session, at an estimated
20 cost of \$176,000.

21 WILLAMETTE RIVER BASIN

22 In addition to previous authorizations, there is hereby
23 authorized to be appropriated the sum of \$11,000,000 for
24 the prosecution of the comprehensive plan approved in the

1 Act of June 28, 1938, for the Willamette River Basin in
2 Oregon.

3 The project for improvement of the Pudding River in
4 Oregon for flood control is hereby authorized to be con-
5 structed substantially in accordance with the recommenda-
6 tion of the Chief of Engineers in Senate Document Num-
7 bered 185, Seventy-sixth Congress, third session, at an
8 estimated cost of \$62,000.

9 COLUMBIA RIVER BASIN

10 The project for local flood protection on the Touchet
11 River at Dayton, Washington, is hereby authorized to be
12 constructed substantially in accordance with the recom-
13 mendation of the Chief of Engineers in House Document
14 Numbered 662, Seventy-sixth Congress, third session, at an
15 estimated cost of \$146,000.

16 The project for levees, channel enlargement, and channel
17 rectification on Walla Walla River in the vicinity of Milton
18 and Freewater, Oregon, is hereby authorized to be constructed
19 substantially in accordance with the recommendation of the
20 Chief of Engineers in House Document Numbered 719,
21 Seventy-sixth Congress, third session, and the project for the
22 protection of the city of Walla Walla, Washington, author-
23 ized by the Act approved June 28, 1938, is hereby modified
24 in accordance with the recommendations of the Chief of

1 Engineers, in House Document Numbered 719, Seventy-
2 sixth Congress, third session, at an estimated cost of \$754,000.

3 The project for levees on the Cowlitz River, Washing-
4 ton, for local flood protection at Castle Rock, Washington, is
5 hereby authorized to be constructed substantially in accord-
6 ance with the recommendation of the Chief of Engineers in
7 House Document Numbered 721, Seventy-sixth Congress,
8 third session, at an estimated cost of \$31,000.

9 SEC. 4. The Secretary of War is hereby authorized and
10 directed to cause preliminary examinations and surveys for
11 flood control, including floods aggravated by or due to tidal
12 effect at the following-named localities, and the Secretary of
13 Agriculture is authorized and directed to cause preliminary
14 examinations and surveys for run-off and water-flow retarda-
15 tion and soil-erosion prevention on the watersheds of such
16 localities; the cost thereof to be paid from appropriations
17 heretofore or hereafter made for such purposes: *Provided*,
18 That no preliminary examination, survey, project, or esti-
19 mate for new works other than those designated in this or
20 some prior Act or joint resolution shall be made: *Provided*
21 *further*, That after the regular or formal reports made as
22 hereby authorized on any examination, survey, project, or
23 work under way or proposed are submitted to Congress, no
24 supplemental or additional report or estimate shall be made

1 unless authorized by law or by resolution of the Committee
2 on Flood Control of the House of Representatives or the
3 Committee on Commerce of the Senate: *And provided*
4 *further*, That the Government shall not be deemed to have
5 entered upon any project for the improvement of any water-
6 way mentioned in this Act until the project for the proposed
7 work shall have been adopted by law:

8 Byram River and tributaries, Connecticut.

9 Blind Brook and tributaries, New York.

10 Mamaroneck and Sheldrake Rivers and their tributaries,
11 New York.

12 Bronx River and tributaries, New York.

13 Hutchinson River and tributaries, New York.

14 Saw Mill River and tributaries, New York.

15 Garden Creek, Mathews County, Virginia.

16 Indian River, Upper Saint Johns River and Marsh, and
17 North Fork, Saint Lucie River, and their tributaries, Florida.

18 Rio Grande and tributaries, New Mexico.

19 Mimbres River and tributaries, New Mexico.

20 Pearl River, Mississippi.

21 Lake Pontchartrain, Louisiana, from the Orleans-Jefferson
22 Parish line westward and northward to the vicinity of
23 Frenier.

24 Black River, Catahoula and Concordia Parishes, Louisi-
25 ana.

- 1 Dogy and Clear Creeks, tributaries of the Arkansas
- 2 River, Oklahoma.
- 3 Salt Creek of the Arkansas River and tributaries, Osage
- 4 County, Oklahoma.
- 5 Red River of the North Drainage Basin, Minnesota,
- 6 South Dakota, and North Dakota.
- 7 Inlets and outlets to Lake Hendricks, South Dakota and
- 8 Minnesota.
- 9 North Fork and South Fork of the Shoshone River and
- 10 their tributaries, Wyoming.
- 11 Emery River and tributaries, Tennessee.
- 12 Redstone Creek and tributaries, Pennsylvania.
- 13 West Fork River and tributaries, West Virginia, with a
- 14 view to determining the advisability of constructing a system
- 15 of multiple-use reservoirs.
- 16 Milwaukee River and tributaries, Wisconsin.
- 17 Little Black River and tributaries, Michigan.
- 18 Sturgeon and Otter Rivers, and their tributaries, Mich-
- 19 igan.
- 20 Cuyahoga River and tributaries, Ohio.
- 21 Big Sur River and Carmel River, and their tributaries,
- 22 Monterey County, California.
- 23 Laguna Canyon, California.
- 24 All streams in San Diego County, California, flowing
- 25 into the Pacific Ocean.

- 1 Coyote River and tributaries, California.
- 2 San Francisquito Creek, San Mateo and Santa Clara
- 3 Counties, California.
- 4 Alhambra Creek and tributaries, California.
- 5 Matadero Creek, Santa Clara County, California.
- 6 Petaluma Creek and tributaries, Sonoma County, Cali-
- 7 fornia.
- 8 Guadalupe River and tributaries, California.
- 9 Silvies River and tributaries, Oregon.
- 10 Columbia River and tributaries, Washington, from the
- 11 downstream point of Vancouver Lake to upstream point of
- 12 Bachelor Island.
- 13 Salmon Creek, in the vicinity of Juneau, Alaska.
- 14 Yaguez, Estero, Portuguez, Bucana, Lapa, Guamani,
- 15 Chico, Maunabo, Quebrada Arena, and Susua Rivers, and
- 16 tributaries, Puerto Rico.
- 17 Creque Gut and Fair Plain Gut and their tributaries,
- 18 Island of Saint Croix, and of Turpentine Run, and Crown
- 19 Mountain water courses and their tributaries, Island of Saint
- 20 Thomas, Virgin Islands.
- 21 SEC. 5. That the Secretary of War is hereby authorized
- 22 to allot, from any appropriations heretofore or hereafter made
- 23 for flood control, not to exceed \$1,000,000 for any one fiscal
- 24 year to be expended in rescue work or in the repair or main-

1 tenance of any flood-control work threatened or destroyed
2 by flood.

3 SEC. 6. That the provisions of the following Acts of
4 Congress relating to river and harbor improvements are
5 hereby made applicable to works of flood control heretofore
6 or hereafter authorized: August 8, 1917, section 9 (40 Stat.
7 267) ; July 18, 1918, sections 5 and 6 (40 Stat. 911) ; and
8 August 30, 1935, section 7 (49 Stat. 1048) .

9 SEC. 7. Section 5 of the Act approved June 28, 1938
10 (52 Stat. 1215), is amended by striking out the words “in
11 carrying out the purposes of this Act” and inserting in lieu
12 thereof the words “in carrying out the purposes of the Act
13 of June 22, 1936 (49 Stat. 1570), as amended and supple-
14 mented”; and by adding at the end of said section the follow-
15 ing sentence: “The provisions of this section shall be
16 applicable to any funds heretofore appropriated for the
17 prosecution by the Secretary of Agriculture of works of im-
18 provement for measures of run-off and waterflow retardation
19 and soil-erosion prevention upon watersheds.”

20 SEC. 8. That the sum of \$260,000,000 is hereby author-
21 ized to be appropriated for carrying out the improvements
22 herein, the sum of \$10,000,000 additional is authorized to
23 be appropriated and expended in equal amounts by the
24 Departments of War and Agriculture for carrying out any

1 examinations and surveys provided for in this Act and any
2 other Acts of Congress, to be prosecuted by said departments,
3 and the additional sum of \$5,000,000 is authorized to be
4 appropriated for expenditure by the Department of Agricul-
5 ture in carrying on works of improvement of the character
6 specified in section 7 of the Flood Control Act of June 28,
7 1938. All appropriations necessary for operation and main-
8 tenance of flood-control works authorized by law to be oper-
9 ated and maintained by the United States are hereby author-
10 ized.

CONSIDERATION OF H. R. 4911

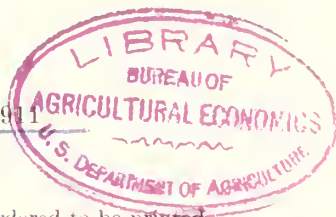
JUNE 13, 1941.—Referred to the House Calendar and ordered to be printed

Mr. COLMER, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 234]

The Committee on Rules, having had under consideration House Resolution 234, report the same to the House with the recommendation that the resolution do pass.



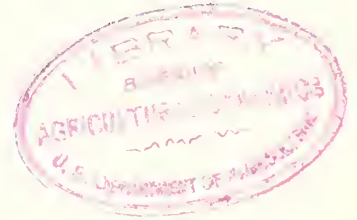
LE - Flood Control

House Calendar No. 102

77TH CONGRESS
1ST SESSION

H. RES. 234

[Report No. 770]



IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1941

Mr. COLMER, from the Committee on Rules, reported the following resolution:
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the state of the Union
4 for the consideration of the bill (H. R. 4911) authorizing
5 the construction of certain public works on rivers and harbors
6 for flood control, and for other purposes, and all points of
7 order against said bill are hereby waived. That after general
8 debate, which shall be confined to the bill and continue not
9 to exceed two hours, to be equally divided and controlled by
10 the chairman and ranking minority member of the Com-
11 mittee on Flood Control, the bill shall be read for amend-
12 ment under the five-minute rule. At the conclusion of the

1 consideration of the bill for amendment the Committee shall
2 rise and report the same to the House with such amendments
3 as may have been adopted and the previous question shall
4 be considered as ordered on the bill and amendments thereto
5 to final passage without intervening motion except one mo-
6 tion to recommit.

77TH CONGRESS
1ST SESSION

H. RES. 234

House Calendar No. 102

[Report No. 770]

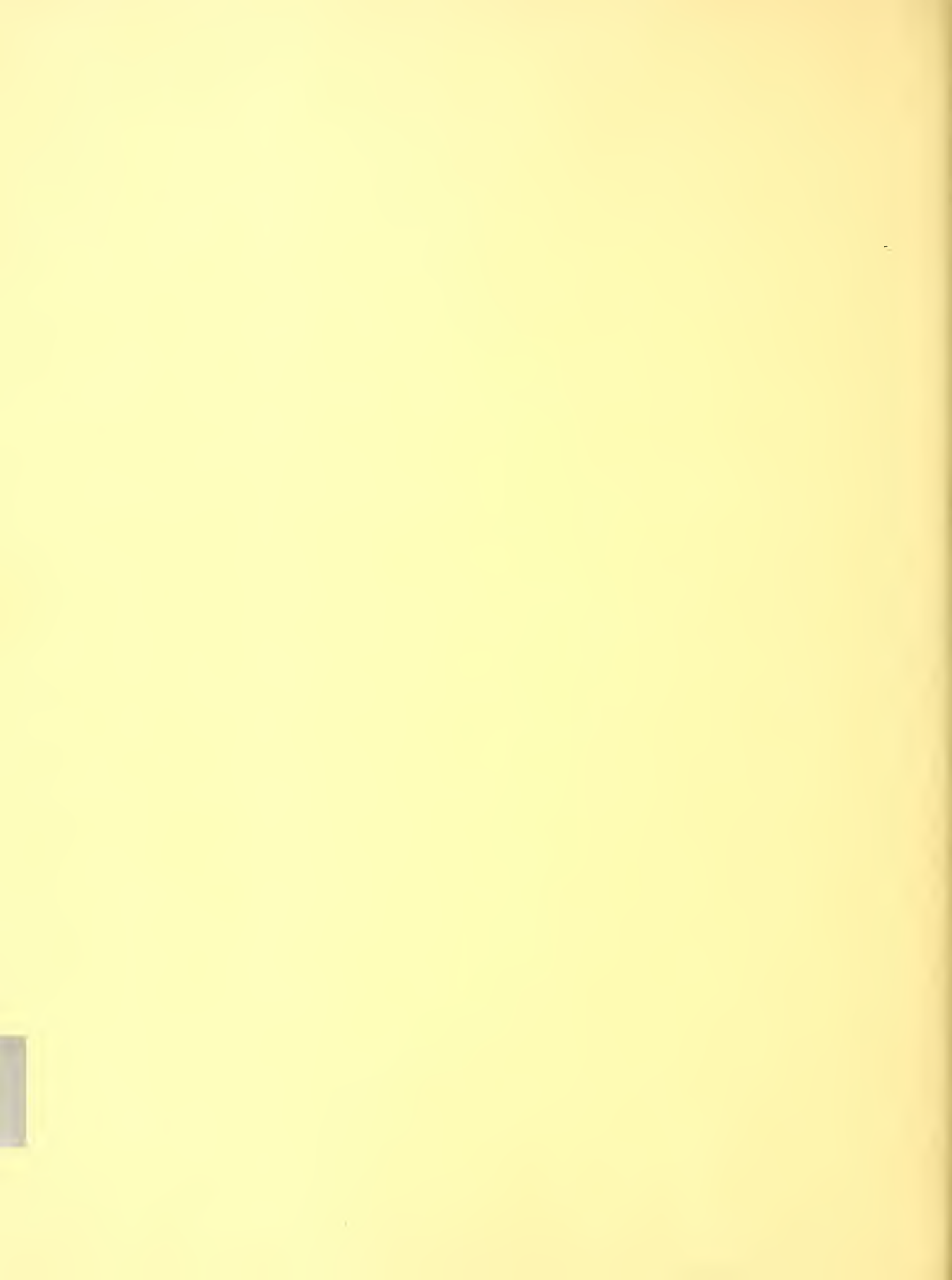
RESOLUTION

Providing for the consideration of the bill H. R.
4911 authorizing the construction of certain
public works on rivers and harbors for flood
control, and for other purposes.

By Mr. COLMER

JUNE 13, 1941

Referred to the House Calendar and ordered to be
printed



pointed for the purpose of exploring into the advisability of such action, it seems to me that the Naval Affairs Committee might well withhold an amendment of this kind. I would like to know whether or not the subcommittee has reported it and, if so, whether they are favorable to the amendment.

Mr. SUTPHIN. I am favorable to the amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. VINSON].

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act.

With the following committee amendment:

Page 3, line 6, strike out "2", and insert "3."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Cox, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 3537, to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, pursuant to House Resolution 203, reported the same back to the House with sundry amendments agreed to in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered on the bill and amendments to final passage.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I wish to announce the program for next week.

Monday will be District day. There will be two or three small bills called up, but the important one will be the so-called small loan bill.

The Whittington bill will be called up in a few minutes. That is the so-called flood-control bill, and if that does not pass this afternoon, it will be taken up after District business is considered on Monday.

If that bill is disposed of, then the Commodity Credit Corporation bill will be the next one in order, and that bill will probably take the remainder of Monday, if the District of Columbia Commit-

tee does not consume the entire day, and Tuesday.

A deficiency bill will be called up on Wednesday, and the consideration of that bill will probably take Wednesday and Thursday.

Following that there will be the May bill reported out of the Military Affairs Committee, which will be next in order.

There is the Casey resolution, which we are hopeful will be considered some time the latter part of next week. That has to do with an investigation of price ranges and so forth.

All of this is subject to such conference reports as may be called up during the week.

EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and to include an article on lighter-than-air craft.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ANDERSON]?

There was no objection.

Mr. RAMSAY. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from West Virginia [Mr. RANDOLPH] may be permitted to extend his remarks relative to the birthday of West Virginia and to include therein a short poem by Harry E. Leeper, of Fairmont, W. Va.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RAMSAY]?

There was no objection.

AMENDMENT TO NATIONAL HOUSING ACT

Mr. WILLIAMS submitted a conference report and statement on the bill (H. R. 4693) to amend the National Housing Act, and for other purposes.

DEFERMENT OF MEN BY AGE GROUP OR GROUPS UNDER SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. SMITH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 243, Rept. No. 811), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Military Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Military Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute.

The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a radio address delivered by myself.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

Mr. COLMER. Mr. Speaker, I call up House Resolution 234.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Flood Control, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, we have no requests for time on this side. I believe it is understood and agreed that the rule should be adopted.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. WHITTINGTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4911, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. WHITTINGTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, on June 22, 1936, for the first time Congress adopted a national flood-control policy and authorized \$300,000,000 for flood-control improvements. An emergency act followed that bill in 1937 applicable to the lower Ohio Valley. In 1938 the second major

flood-control bill was passed, and Congress authorized for flood-control works in the principal river basins in the United States \$396,000,000. An emergency bill was passed in 1939. It was the policy of the committee to report a bill in 1940. Extensive hearings were conducted. All who desired to be heard from New England to Los Angeles and from Florida to Seattle were heard. The bill H. R. 9640 was reported on May 7, 1940, and the hearings were published.

About the time the bill was reported France fell, and our thoughts turned to national defense. The committee decided to withhold a request for the consideration of the bill during the last session. During the present session there have been conducted hearings on all projects that have been favorably reported to the Congress since the bill to which I have just referred was reported in 1940. Hearings have been published and are available on that bill. In a word, the bill under consideration embraces all of the projects, with the exception of two items that have been enacted into law as emergency projects, that were contained in the bill H. R. 9640, reported a year ago, and in addition thereto it embraces the projects on which the Chief of Engineers has submitted favorable reports and the committee has made investigations since May 7, 1940.

The bill under consideration provides for authorizations aggregating \$260,000,000. At present there are authorizations of approximately \$310,000,000 for flood control, but about \$180,000,000 of that amount is definitely required to complete projects that are under construction, so in all parts of the country there are available authorization for new projects in the amount of about \$130,000,000.

It is the program, as was stated by the President in his Budget message, that following the existing emergency there shall be carefully studied and carefully planned projects on the shelf, so that in addition to providing for projects that are now under construction that should be constructed and that should be completed, after the emergency is passed there will be worthy, constructive public works that will enable the country to meet the problem of unemployment that must inevitably follow the emergency.

This is a rather long bill, but it has just eight sections. It is a simple bill. I shall give you an analysis of the bill in a few words, and I believe you can follow me. After all, if you take the bill and the report of the committee, you get a definite statement covering each project authorized in the bill. The reports are available. The bill is definite.

I repeat, to emphasize, that no project was included in this bill until that project had been studied on the ground by the district engineer, in the field by the division engineer, and by the Board of Engineers for Rivers and Harbors, and approved by the Chief of Engineers and investigated and studied by our committee.

If members of the committee will turn to the bill, in just a few words I shall undertake to explain it.

Section 1 of the bill is substantially existing law. It provides for the continuation of the policy adopted in 1936.

Section 2 is an administrative provision in the bill, and it is most important. It is necessary to adopt this section. The law was supposed to be amended by section 2 in the bill we reported a year ago.

The yardstick for local contributions is the same in all parts of the country. Local interests are required to provide under the general law rights-of-way and lands for levees and flood walls. The Federal Government since 1938 has paid for the cost of reservoirs.

In 1938, when we provided for the first time that the Federal Government should pay for the cost of reservoirs, an innocent amendment was added to the bill. The gentleman from Kansas [Mr. CARLSON], who was on the committee at that time, and is now sitting before me, will recall that that amendment was inserted on the floor of the Senate, and before the conferees agreed to it we undertook to get all the information we could that that was really an innocent amendment and would not cost very much. It provided that the Government should pay the cost of channelization. It has developed that that amendment has cost the Government millions of dollars.

Section 2, the administrative provision of this bill, undertakes to amend the act of 1938 to restore the general law or the act of 1936. There is a novel provision that occurs for the first time in a flood-control bill, in section 2. It provides that if a project is authorized and the local community does not make its contribution after 5 years, that project is definitely eliminated and will not stand in the way of other worthy projects that have been approved.

There is another worthy provision in section 2 that will enable the Chief of Engineers upon the acquiring of a site to proceed with the construction in line with river-and-harbor work.

Section 3 deals with projects that are approved, and that section covers some 23 pages in the bill. Every project that is authorized is described in section 3, and reference is made to the reports of the Chief of Engineers recommending these projects or any other reports referred to in the bill, so that Members of Congress can take the bill and the report of the committee and find out and be fully advised with respect to any project.

I want to say this, in passing, with respect to one project in New England along the Connecticut River: We authorized in 1936 something like \$10,000,000 for reservoirs. Among those reservoirs was a reservoir in New Hampshire, the Bethlehem Junction. The same document was approved in the act of 1938, but a subsequent discovery by the Chief of Engineers developed that a better reservoir site might be adopted for some of those reservoirs, and among others Sugar Hill. The committee heard the testimony with respect to this project, and we approved the document; but I call your attention to that fact, and I have the document in my hand, and that document, House Document No. 724, Seventy-sixth Congress, third session,

suggested the substitution of Sugar Hill for Bethlehem Junction. This was an interim report.

There was objection by the people in New Hampshire to the construction of Sugar Hill, and as a member of that committee I shared the objection. It would have utilized one of the most beautiful valleys in the White Mountains, one of the most magnificent areas I ever saw. So the Committee on Flood Control adopted a resolution calling upon the Chief of Engineers to provide for a restudy of the Sugar Hill Reservoir with a view to substituting another reservoir in place of the Sugar Hill.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I yield myself 5 additional minutes.

So I can state that under the terms of this bill Sugar Hill is not authorized to be constructed.

We have provided for projects in section 3 in the Connecticut River Basin, the Thames River Basin, and the Pawtuxet River Basin, Lake Champlain Basin, the Oswego River Basin in central and upper New York, and the yardstick for local contributions there where the Chief of Engineers states in his report that the works are largely local is the same yardstick that obtains for local contributions in other parts of the country, and I know of no area in the United States that has been more generously dealt with than central New York or west central New York and northern Pennsylvania, because in the Flood Control Act of 1936 we authorized projects in that general area following the disastrous flood of 1935, that provided that the Federal Government should spend \$27,000,000 and the local interests contribute about \$1,000,000.

There are some eight projects in the Finger Lakes area and then there are projects in the Susquehanna River Basin, the Delaware River Basin, the Mobile River Basin, the Allatoona Reservoir, and there are the Tombigbee River, the Colorado River Basin, the Brady Creek, and the Brazos River projects.

Now, just a word in passing with respect to the lower Mississippi. Until 1936 Congress provided for flood control only in the lower Mississippi River and the Sacramento River, the lower Mississippi being the father of rivers and the father of floods in our country.

Under the act of 1928, supplemented by the act of 1936, the Mississippi River was divided into three sections, from Cairo to the mouth of the Arkansas, from the mouth of the Arkansas to the mouth of the Red, from the mouth of the Red to the Gulf of Mexico, and was provided with a project that would protect it against the maximum flood. The upper section has been practically completed. The lower section has no difficulties. In the middle section of the river there were authorized, through the States of Louisiana and Arkansas, floodways first through the Boeuf Basin and then through the Eudora Basin for the diversion of floodwaters, and I call your attention to the fact that as a result of a provision that Congress made in the Flood Control Act of 1928, for studies and investigations, the establishment of the

greatest flood-control laboratories on earth, the Mississippi River, the longest navigable river in our country, between the Arkansas and the Red, as you will recall from your geography, has been shortened by cut-offs a distance in 370 miles of 137 miles and navigation has been afforded at the same time, because today in the lower Mississippi there is more navigation than there was in the halcyon days of the steamboat, long before the railroads came to supplant the steamboats. The navigation is largely by barges. As a result of these cut-offs, the Chief of Engineers and the president of the Mississippi River Commission in charge of that part of the lower Mississippi Valley, recommended that there could be adopted any one of three projects and thus elimination of these large areas of land for diversions would occur, because they said that the flood heights had been reduced from 5 to 10 feet as a result of these cut-offs.

So, without increasing the authorization for the main Mississippi River, this bill provides for the adoption of the report of the engineers for increasing the height of levees in the lower Mississippi Valley and the elimination of the diversions. Louisiana, Arkansas, and Mississippi, the States primarily interested, have agreed to the provision. In the Red Ouachita Basin there is a reservoir project. Flood projects are authorized along the White River Basin, the Arkansas River Basin, the Ohio River Basin, and one project along the Tennessee River Basin.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. WHITTINGTON. Mr. Chairman, I think I shall save time if I yield myself 5 minutes more. One of the most dangerous flood-control programs in the United States today is Chattanooga, Tenn., and that, notwithstanding the T. V. A. for both the Chief of Engineers and the T. V. A. report to our committee and testified that levees 20 feet high are essential to protect the city of Chattanooga. I shall extend my remarks in that regard because we are dealing primarily with flood control, and any reservoirs that are authorized in this bill are primarily for flood control. But wherever power can be developed, penstocks are to be installed, and provisions are to be made for the development of power, because water is one of the greatest natural resources of our country, and they are resources that belong to the people and they should be utilized for the benefit of the whole people whenever there is an opportunity. [Applause.]

Provision is made for increasing the authorizations along the Ohio River, the Missouri River, the White River, and in Los Angeles. I now yield to my friend from Los Angeles the gentleman from California [Mr. Voorhis].

Mr. VOORHIS of California. It was not about that that I wanted to ask the gentleman to yield. It is about another matter.

Mr. WHITTINGTON. Then, just one moment. Important work has been done in and about Los Angeles, and provisions are made also for work along the Sacra-

mento River and along the Willamette and one or two prospects along the Columbia.

I now come to section 4. Probably more Members are interested in this section than in any other section of the bill. There is a flood problem in practically every district in the United States. Members of Congress desire their rivers surveyed and studied, and section 4 includes every bill introduced by Members of Congress which has been submitted to the Chief of Engineers, when he recommends that a study and examination be made of the flood problem. I see the gentleman from Pennsylvania [Mr. Boland] on his feet, and I yield to him.

Mr. BOLAND. I wanted to ask the gentleman about the Lackawanna River. It flows through my district. It is a tributary of the Susquehanna. A survey was made. I asked for a survey and they have embodied it in the Susquehanna report. What is the status of that survey?

Mr. WHITTINGTON. The gentleman has been most diligent. As I recall, in the act of 1936, three times you will find provisions for surveys of the Susquehanna River and tributaries. The gentleman introduced a special bill for the Lackawanna River, which is a tributary of the Susquehanna. One of the criticisms of the Corps of Engineers by some sources is that instead of studying the problem in the entire watershed they pick out a unit here and there, so that when the Chief of Engineers came to report on the Lackawanna River he found he was directed to report on the Susquehanna. So, unfortunately, without any fault on the part of the gentleman, the report on the Lackawanna River has been delayed because the report on the Susquehanna of which it is a part has not been completed. I know that the gentleman has a worthy project, and that is the only reason the committee was unable to consider it, and personally I think the report should be facilitated and submitted to the Congress at the earliest possible date.

Mr. BOLAND. Might I ask the gentleman, then, for a serious consideration of the matter when it does come before the committee?

Mr. WHITTINGTON. Oh, I do not give any other kind of consideration than serious and careful consideration.

Mr. BOLAND. I was about to ask the gentleman for favorable consideration.

Mr. WHITTINGTON. I shall do the best I can. I yield now to the gentleman from California.

Mr. VOORHIS of California. Before I ask my question, as a member of this committee, permit me to say that I appreciate more than I can say the splendid leadership that our chairman has given us. I do not believe there is another committee in the House that is as efficiently and effectively carried on as this committee. I just wanted to ask a question about section 2, because in his remarks on section 2 I believe the gentleman stated that the provisions of our section 2 in this bill would restore the law to what it was in 1936.

Mr. WHITTINGTON. Only in one regard.

Mr. VOORHIS of California. Only with regard to channel rectification?

Mr. WHITTINGTON. Yes.

Mr. VOORHIS of California. But not with regard to reservoirs?

Mr. WHITTINGTON. Oh, not at all; simply channelization.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mrs. ROGERS of Massachusetts. The gentleman has made a very interesting and illuminating statement. He has done fine work. There is nothing for the Merrimac River in this bill, but the engineers tell me they have all the authorization they require for that river.

Mr. WHITTINGTON. That is true. But reservoirs are authorized in the acts of 1936 and 1938 at a total cost of \$11,000,000. I do not know of any river that has more flood-control help than the Merrimac River. It is one of the finest rivers in the United States and is in the gentleman's district. None has been more diligent or successful for flood control than she.

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. CASEY of Massachusetts. I am apprehensive about the limitation in section 2 which says that "the authorization for any flood-control project heretofore or herein adopted requiring local cooperation shall expire 5 years from the date of approval of this act unless local interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished." I am wondering whether or not that should not be 5 years after the appropriation has been made, because of the uncertainty of the period of time between authorization and appropriation?

Mr. WHITTINGTON. Flood-control projects have been authorized generally since 1936. That is the limitation with respect to rivers and harbors, and it has worked out very satisfactorily. Those interested in this legislation think it will facilitate matters. Some objection is made to new authorizations, because we have projects that have been authorized and never yet constructed. The local interests can prevent it if they say they are willing to make the contribution. In fact the President, among others, suggested the limitation.

Mr. CASEY of Massachusetts. And they do not have to make it; simply say they are willing?

Mr. WHITTINGTON. No; just so they are willing, and ready to comply, and furnish assurances.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. The gentleman has made a very fine statement about flood conditions in Ohio. Anybody who knows anything about it knows that the Ohio River is the greatest transportation carrying river in the world. What is the latest development, may I ask the gentleman, with reference to the Blue Stone Dam?

Mr. WHITTINGTON. The Blue Stone Dam was authorized in 1936, and because of litigation was authorized again in 1938. We did not have any investigation

about that, because there was no occasion for us to go into it. But it is my understanding that the Blue Stone Dam is under way, at least, it is authorized.

Mr. JENKINS of Ohio. And as far as the gentleman knows, there is no impediment to the Blue Stone Dam except this litigation?

Mr. WHITTINGTON. No; and certainly not in view of the decision of the United States Supreme Court in the Dennison Dam case.

Mr. BATES of Massachusetts. Will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. BATES of Massachusetts. The Board of Engineers and the division engineer have made a study and investigation of all these projects. The Board of Engineers and the Chief of Engineers recommended every one of these projects?

Mr. WHITTINGTON. Yes; all were recommended or agreed to by the Chief of Engineers. They would not be in the bill if the Chief of Engineers had not agreed.

Mr. HINSHAW. Will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. HINSHAW. On April 14 I introduced a bill, H. R. 4348, which authorized additional funds for the Department of Agriculture. Would the gentleman explain where in this bill matters affecting the Department of Agriculture are contained?

Mr. WHITTINGTON. The gentleman has anticipated me. I will come to it. Five million dollars is authorized for the purpose you have in mind, it is in the last section of the bill. If you can get that, go to it.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I yield myself 5 additional minutes. I am trying to facilitate the passage of this bill. Some of you know of the difficulties under which I am working at the present time, and of my feelings for a friend desperately ill at this moment.

Section 5 contains a new authorization for the first time. If there is a flood on any river in the United States where there are flood-control improvements, without coming to Congress the Corps of Engineers can go out and help repair and maintain. That is section 5.

Section 6 makes applicable to flood-control work the acts mentioned that are now applicable on river and harbor improvements, in the acquiring of lands, taking possession of them, and so forth.

Section 7 is a clarifying amendment, so as to enable the Department of Agriculture to use funds heretofore as well as herein authorized for the purpose, under the act of 1936, as amended.

The last section of the bill, section 8, authorizes \$260,000,000 for flood-control works, \$10,000,000 to be equally divided between the Department of War and the Department of Agriculture for preliminary examinations and surveys; \$5,000,000 for works for the Department of Agriculture.

I beg your pardon for having detained you, but it occurred to me that under the circumstances I could save time by explaining the sections of the bill,

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. SHEPPARD. I want to pay my respects to the gentleman's committee for the courteous manner in which they have taken care of the Santa Ana River Basin. Our last flood cost 36 lives and \$627,000,000. For those things which you have put into this bill we are extremely grateful, and we thank you.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I am obliged to the Members for their consideration, and unless there be some further question by some member of the committee, I will yield the floor, but before yielding I trust that the bill may be passed by the unanimous vote of the committee and of the House, as it was unanimously reported by the Committee on Flood Control. [Applause.]

Under leave to extend, at the risk of repetition, I should like to emphasize the need of additional authorizations, the necessity of Public Works following the existing emergency, the need for amending provisions of existing flood-control acts, and I would like to analyze the bill a little more in detail.

On June 22, 1936, as I have said Congress passed the first national flood-control bill and authorized \$300,000,000 for the construction of improvements in the principal regions of the country.

A sound policy was announced. Investigations of watersheds and measures for run-off and water retardation and soil erosion prevention on watersheds were placed under the jurisdiction of the Department of Agriculture. The investigations and improvements of rivers and other waterways were placed under the jurisdiction of the War Department under the direction of the Secretary of War and the supervision of the Chief of Engineers. The Departments of War and Agriculture have cooperated, their works are coordinated, there is no duplication. Progress in flood-control prevention and protection has been made.

In 1938 Congress passed the second national flood-control bill following an emergency act that was passed in 1937.

Rivers are being investigated and streams are being studied. There is need for orderly development of the national policy. Annual authorization bills might properly be introduced, however, in 1939 no general authorization bill was introduced but a bill was passed to amend existing laws and to provide for examinations and surveys.

Under the adopted policy, after extensive hearings, a flood-control bill, H. R. 9540, Seventy-sixth Congress, third session, was reported on May 7, 1940. On account of the national emergency and the second World War the bill was not pressed. The bill under consideration embraces all of the provisions of the said bill reported in May 1940 except an emergency project and except a statutory provision that were passed as matters of urgency and defense.

In addition to the projects reported in the bill of 1940 the pending bill contains projects on all reports favorably submitted by the Chief of Engineers since hearings were conducted on the said bill reported in 1940. The bill in 1940 authorized appropriations amounting to \$196,000,000. The bill under consideration authorizes appropriations for flood-control improvements aggregating \$260,000,000, and \$10,000,000 for examinations and surveys and \$5,000,000 for soil-erosion works by the Department of Agriculture.

ADDITIONAL AUTHORIZATIONS

The act of 1936 and subsequent acts authorize \$693,926,000 for flood control throughout the United States, exclusive of the Lower Mississippi River. Including appropriations for the fiscal year 1942, some \$383,000,000 have been appropriated for general flood control. There is thus left about \$310,000,000 as a backlog. The Chief of Engineers estimates that it will cost about \$180,000,000 to complete projects under construction or scheduled for construction in the fiscal year 1942. There is thus left a backlog of only \$130,000,000 of authority available for new flood-control projects.

Many important projects cannot be constructed without additional authorizations. Generally, flood-control projects must be constructed consecutively. Reservoirs require long periods to be completed. Benefits do not accrue until reservoirs are completed. It took 6 years to complete the Fort Peck Reservoir.

Devastating floods may jeopardize the national defense by halting industrial production, by shutting down power plants, by crippling railroads, by destroying highways, and by interrupting communications. Additional authorizations both for national defense and the general welfare should be made at this time.

As stated, the bill reported last year was not pressed on account of national defense. The hearings conducted on the 1940 bill are available in connection with the pending bill. The Committee on Flood Control did not report, but hearings were conducted on all reports submitted by the Chief of Engineers since the hearings were conducted on the bill reported in 1940 and the Flood Control Act of 1938. Hearings are, therefore, available covering all projects embraced in the pending bill.

FAVORABLE REPORTS

No projects have been included in the pending bill except modifications of existing or new projects, on which favorable reports have been submitted by the Chief of Engineers.

Under the terms of the bill, when there are additional authorizations for drainage basins in which projects have already been authorized and appropriations have been insufficient for their construction, the selection is left to the Chief of Engineers. The provisions of the act of June 28, 1938, obtain, except as amended. It is contemplated that priority projects will have first consideration. Authorizations in one drainage basin cannot be transferred to another.

MULTIPLE-USE PROJECTS

The reservoirs provided for in the pending bill are primarily for flood con-

trol. It will be kept in mind that water is the most valuable of natural resources; it should not be wasted, and it should not be polluted; it should be made to serve and not destroy.

Reservoirs may be built for flood control, for navigation, for the generation of power, and for the conservation of water for reclamation or other uses; they may be operated primarily for one purpose or for several purposes. It is often practical and economical to build reservoirs with sufficient capacity to detain floodwaters and store water for other purposes. If operated for several purposes they are called multiple-use reservoirs.

Wherever power can be provided in dams that are for flood control, provision is made for such power. Studies are conducted by the Federal Power Commission. Penstocks are installed wherever the Federal Power Commission and the Chief of Engineers believe that a multiple-use reservoir is practicable.

The Federal Power Commission does not construct reservoirs. It can make a great contribution in solving the use and marketing problem of electric power. It is not necessary for the Commission to engage in construction. It has authority to license and it might well be vested with the authority to dispose of the power. The final solution may require time but it is not necessary to permit the assets of falling waters to go to waste. The public is entitled to the benefits of economical power that can be developed from their natural resources. Water power is not only valuable in itself, but it contributes to needed public improvements that might otherwise not be built for flood control, navigation, and irrigation.

The power possibilities along the White River in Missouri and Arkansas are remarkable, and demands for power not only exist but will increase as the power is developed. It will take many years to construct the reservoirs. By the time the projects have been completed all of the power that can be developed will be needed. It is wise to authorize multiple-use projects now so that they can be constructed in an orderly manner to meet the emergency needs for flood control, irrigation, navigation, and power.

PUBLIC WORKS

The President of the United States, in his Budget message in January 1941, recommended reductions in appropriations for flood control, river and harbor, and reclamation work. He put national defense first. He did recommend that the projects under construction go forward to completion. The President also emphasized the need for surveys, investigation, and planning of new projects, so that following the national emergency construction could be resumed without delay. I quote from his message:

This will produce a long list of public-works projects apart from defense construction, arranged according to priorities. Such a list could be submitted to a future Congress for appropriation of funds to put it into operation.

The President, therefore, made it clear that planning in connection with domestic public-works projects would continue. He wanted plans and engi-

neering works complete and on the shelf so that they could be used when the national-defense emergency is over. When the defense employment ends it will be possible to take these projects off of the shelf and put people back to work on useful public works.

The bill under consideration, therefore, not only provides for the orderly development of flood-control improvements but it makes authorizations for useful works so that they will be ready for execution when the appropriations are made.

THE BILL

The urgent need for additional authorizations for prosecution of approved plans is recognized and the bill makes provision for additional authorizations which the Chief of Engineers considers essential for orderly prosecution of work in a number of the most important river basins. In addition, individual projects which have been found to be economical and desirable are authorized.

As stated, the last general Flood Control Act was passed in 1938. A large number of reports on surveys authorized by Congress have been completed and reviewed by the Board of Engineers for Rivers and Harbors, and reports with favorable recommendations have been transmitted to Congress. These projects are included in the pending bill. All have been carefully examined with the view to producing the greatest good to the greatest number of people. The plans are practical and comprehensive. A number of the plans include multiple-purpose reservoirs which will permit the development of economical hydroelectric power in addition to providing storage for flood-control, municipal and irrigation water supply, pollution control, and other purposes. New projects are authorized in the principal drainage basins in the country.

The bill continues the procedure of authorizing additional surveys and examinations for flood control and, as I have stated, authorizes the sum of \$260,000,000 to be appropriated for carrying out the purposes of the act.

ANALYSIS

Section 1. Policy

Section 1 is identical with existing law. It contains the declaration of policy respecting flood control and provides for the investigation, planning, and prosecution by the Corps of Engineers of the United States Army of flood control and other allied works.

Section 2. Administrative changes

Section 2 provides that section 3 of the act of June 22, 1936, as amended by section 2 of the act of June 28, 1938, shall apply to all works authorized by the pending bill and that the provisions of (a), (b), and (c) of section 3 of the act of June 22, 1936, shall apply to channel improvement or channel rectification projects except as otherwise provided by law. This provision merely reenacts the original intent of Congress with respect to local contribution requirements for the various types of flood-control works.

This section also repeals the provisions of the flood-control acts of 1937 and 1939

which give the President authority to waive certain requirements with respect to local cooperation for certain flood-control projects in the Ohio River Basin. The repeal of this emergency provision will place the Ohio River projects on the same basis as similar projects in other parts of the country. The same yardstick applies to all flood-control projects under all flood-control bills.

There is a unique provision embraced for the first time in section 2. All authorizations requiring local contribution expire 5 years from the date of approval unless the local interests within that time furnish assurances satisfactory to the Secretary of War that the required local contribution will be furnished.

There is also a provision in section 2 that will permit the initiation and partial accomplishment of projects which might otherwise be delayed for long periods of time due to lack of sufficient advance appropriations for the completion of large projects.

It is economical and advisable for the Government to secure the land rights for flood-control and power reservoirs as early as practicable and well in advance of prospective construction. Moreover, there are reservoir sites where it may be practicable and advantageous to construct dams smaller than those planned for full utilization of all the possibilities.

The railroads were first built as single tracks and then double tracks were constructed. The famous Aswan Dam across the Nile in Egypt has been raised three times during its life.

Section 2 gives the Chief of Engineers the authority to begin and prosecute projects in whichever way he may determine to be advantageous under the conditions and circumstances that obtain from time to time.

Section 3. Authorizations

Section 3 adopts and authorizes the improvements set forth in the bill and continues the provisions for pen stocks in the reservoirs authorized.

In the Connecticut River Basin, \$6,000,000 is authorized for local protective works and \$10,000,000 for reservoirs for the prosecution of the comprehensive plan approved by the act of 1938 for the Connecticut River Basin and the comprehensive plan is modified to include the works recommended in House Document No. 653, Seventy-sixth Congress, third session, and House Document No. 724, Seventy-sixth Congress, third session, with such modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers. The said House Document No. 724 includes reservoirs at Sugar Hill and Honey Hill, N. H. It also includes reservoirs at Williamstown, Vt., and Barre Falls, Mass.

While Sugar Hill Reservoir is embraced in House Document No. 724, Seventy-sixth Congress, third session, the Committee on Flood Control, at the request of the local interests, passed a resolution calling upon the Board of Engineers for Rivers and Harbors to review House Document No. 724, Seventy-sixth Congress, third session, and previous reports on the Connecticut River with the view of finding a substitute reservoir which can be built in place of the Sugar Hill project.

The Chief of Engineers stated in said Document No. 724, Seventy-sixth Congress, third session, and I quote:

This second interim report considers changes in certain figures of the approved general reservoir plan for flood control in the Connecticut River Basin and additional local protective works now found desirable. A final report to be submitted under this and other authorities will cover the Connecticut River as a whole.

In view of the fact that the report embracing Sugar Hill is an interim report and in view of the further fact that the Committee on Flood Control has requested a review as stated in the report on the pending bill by the Committee on Flood Control none of the funds authorized are to be used for the construction of the Sugar Hill Dam.

It may be well to say in this connection that the Bethlehem Junction Reservoir was authorized by the Flood Control Acts of 1936 and 1938. This authorization has not been repealed. The committee understood that both Bethlehem Junction and the Sugar Hill would not be constructed. Several substitute for Sugar Hill have been suggested. The committee, therefore, declined to authorize funds for the Sugar Hill Dam and Reservoir. No part of the \$10,000,000 authorized and no part of funds previously authorized under the Flood Control Act of 1936 or under any other act is available for the construction of the Sugar Hill Reservoir.

The \$10,000,000 will cover two reservoirs. The probability is one of these reservoirs will be at Williamstown, Vt., and the other may be at Honey Hill, N. H., or it may be that the Chief of Engineers will decide to construct the Bethlehem Junction Reservoir unless he is able to find a better and more satisfactory substitute, but definitely the Sugar Hill Reservoir is not authorized and will not be constructed without further authority from Congress.

Oswego River Watershed, New York

Among the projects authorized is the Oswego River watershed, New York. The projects authorized are covered by House Document No. 846, Seventy-sixth Congress, third session. Congress has been most liberal in past authorizations in west and central New York. The act of 1936 authorized flood-control works at Binghamton, Cornell, and other areas in southern New York and Pennsylvania at an estimated Federal cost of \$27,000,000, with only \$1,000,000 local contribution. The Oswego River project is embraced in the bill just as recommended by the Chief of Engineers. The principal project is the Syracuse project. It will be kept in mind that this project is constructed under the provisions of the act of 1936, as amended, with respect to channelization in the pending bill. Lands for reservoir sites are paid for by the Federal Government. The yardstick that is applicable therefore to the Syracuse project is the general yardstick that is applicable to all flood-control projects in the United States. The local interests are required to furnish the lands for channelization, for bridge alterations, and highway relocations where there is channelization. For 2 years, from 1938 to 1940, as a

result of a provision in the act of 1938, a great deal of channelization was done at Federal expense. Such was not the intent of Congress and the present bill amends, as I have already stated, the act of 1938 to eliminate channelization at Federal cost and restore the provisions of the act of 1936 applicable to channelization.

The projects in the Oswego River watershed are local in their nature. As stated by the Chief of Engineers there is no general flood problem in the Oswego River Basin requiring comprehensive measures for flood control. There are a number of independent problems where measures providing for protection have been considered. There are eight localities. As stated by the Chief of Engineers the benefits from the projects are largely local in character and would accrue within a limited area. The committee, therefore, followed the recommendation of the Chief of Engineers and the provisions for local contribution in the Oswego project are on all fours with similar projects in other regions of the United States. I may add that as stated by the Chief of Engineers and as stated by the President of the United States before he transmitted the report to Congress, properties in Syracuse will be greatly enhanced in value as a result of the construction. The local contribution is about 20 percent, or one-fifth of the Federal cost. I repeat that it is on all fours with channelization and reservoir projects elsewhere. The same yardstick applies.

Lower Mississippi River

The act of May 15, 1928, authorized the plan of the Army engineers for flood control in the lower Mississippi River. The project was divided into three sections—the northern, from Cape Girardeau to the Arkansas River; the middle, from the Arkansas River to the Red River; and the southern, from the Red River to the Head of the Passes. The project has been practically completed in the northern section and there are no difficulties in the southern section.

In the middle section the adopted project provided for a diversion, without compensation to the landowners, through the Boeuf Basin. The act of June 15, 1936, substituted the Eudora diversion and extension for the Boeuf diversion, and this act was amended by the act of June 28, 1938, to provide for compensation for flowage rights in the Eudora diversion.

As a result of cut-offs in the middle section of the river, which is 370 miles, the river has been shortened between the Arkansas and the Red Rivers 137 miles. It is now well established that the work which has been done on the main river between the Arkansas and the Red has greatly increased its flood-carrying capacity and as a consequence has reduced the height of flood lines of all floods confined between the main levees.

The States of Louisiana and Arkansas, in which the Boeuf and Eudora diversions are located, always protested against the construction of these diversions, and as a result of their opposition the diversions have not been constructed. It is maintained that such diversions are no longer

necessary in view of the reduced heights resulting from the cut-offs. The State of Mississippi, on the other hand, maintained that while cut-offs are beneficial, they have not been tested by a major flood between the Arkansas and the Red, and they advocated diversions to supplement levees. Pending a major flood, Mississippi further advocated protection against the maximum flood while cut-offs were being tested by major floods.

The lower Mississippi River project is under the direct supervision of the Mississippi River Commission, subject to the general supervision of the Chief of Engineers.

The Chief of Engineers was requested by the Flood Control Committee of the House and the Commerce Committee of the Senate to review the adopted project in the Flood Control Act of 1928, as amended, in the lower Mississippi River, and on March 7, 1941, a review report was submitted by the Mississippi River Commission to the Chief of Engineers and it is contained in the hearings. This report was in response to resolutions adopted according to law.

In submitting the report it was emphasized that no modification of the existing project, which does not safeguard the interests of navigation, was considered. It was pointed out that a larger tonnage was carried on the Mississippi River than at any time since the halcyon days before the advent of the railroads.

It was further stated in the review report that if cut-offs had existed in 1928, serious consideration would probably have been given to confining floods between main line levees.

The report submitted three alternatives for protection against the project flood. A fourth, or interim plan, was suggested which provided for higher levees on the east bank to give to the east bank the protection that would have been accorded to it in the event the diversions on the west bank had been constructed. The differential on the east bank would have protected a densely populated area, including the city of Greenville. The very heart of the Mississippi Delta lies opposite the mouth of the Arkansas and White Rivers. Because of its location, populations, improvements, and topography a higher levee on the east bank is justified.

The committee, therefore, followed the review report and adopted alternative plan 4 which provides for levees only except that provision is made for a 3-foot freeboard on the east bank of the Mississippi River from the Coahoma-Bolivar County line to Vicksburg, thus preserving to the east bank whatever superiority in topography and in grade it is entitled to and at the same time the project protects both banks against the project or largest predicted flood.

The bill contains no authorization for any appropriation for the main Mississippi River. Backwater area projects are authorized for the Yazoo and for the Red Rivers. A similar project was authorized for the backwater area of the White River in 1936.

Provision is made for the Federal Government paying the costs of setback levees and the recommendation of the

report respecting maintenance was followed by the committee and hereafter, as provided by the bill, maintenance shall not be considered as reducing present remaining balances of authorizations.

The projects authorized in the bill aggregate \$254,890,100 but inasmuch as the costs in a number of cases are estimated the committee included an authorization for \$260,000,000.

Projects are authorized in New England, New York, Pennsylvania, in the southeastern section of the United States; along the Ohio, the upper Mississippi, along the Arkansas, the White, the Ouachita, the Little Missouri, the Tennessee, the Mobile, along rivers in Texas that flow into the Gulf, along rivers in the Rocky Mountain regions, including the Denver, Colo., area, in the Los Angeles area, along the Sacramento and the San Joaquin, along the Willamette River, and in the Pacific Northwest. Projects are authorized, therefore, in the principal drainage basins of the United States.

I should like to point out that the projects authorized and the reports included in the pending bill are described in the comprehensive report of the committee on flood control and I suggest that all interested read the report in connection with the bill.

Section 4. Preliminary examinations and surveys

Section 4 of the bill authorizes and directs the Secretary of War to cause preliminary examinations and surveys at the localities designated in the section. Probably more Members of Congress are interested in this section than in any other section of the bill. Members introduce bills to provide for preliminary examinations and surveys. Reports are requested as to whether such surveys are advisable. All streams on which the Chief of Engineers has submitted favorable reports for preliminary examinations and surveys are included in this section.

Members ask about projects in which they are particularly interested. I recall that the gentleman from Pennsylvania, Representative WALTER, has been interested in a project to project the city of Bethlehem. No report has been submitted to the committee covering this project.

I recall that the gentleman from Pennsylvania, Representative PAT BOLAND, has been in frequent contact with the committee respecting a project for the protection of the city of Scranton, Pa. In the Flood Control Act of June 22, 1936, and again by special bill on June 25, 1936, the Lackawanna River was to be investigated and surveyed, but in the act of 1936 the Susquehanna River in New York and Pennsylvania, and the Susquehanna River by three descriptions in that act alone was ordered to be studied and reported on.

The Lackawanna River is a tributary of the Susquehanna. The President of the United States has insisted that a river system shall be studied as a whole, and that reports shall cover the entire river system. The National Resources Board is on record as favoring comprehensive reports covering entire river basins. No report has been submitted on the Lack-

awanna because it is a part of the Susquehanna River system, and in accordance with the policy announced by the President, individual tributary rivers will not be considered where reports have been requested on comprehensive river systems. The committee, therefore, was unable to report a project in which the gentleman from Pennsylvania, Representative BOLAND, was interested because no report had been submitted on it.

Section 5. Emergency fund

This is a new section. It has not occurred in any previous flood bill. It provides for emergency repair and maintenance work in flood. This is an important provision.

Section 6. Extension of certain river and harbor laws to flood-control work

Section 6 provides for the application to flood-control work of certain existing laws for river and harbor work pertaining to the inclusion of lands, right of entry to land, and manner of determining just compensation for lands required for authorized flood-control projects, and for the disposal of lands no longer needed for such work.

Section 7. Extension of law affecting the Department of Agriculture

This is a clarifying provision. It extends the authority of section 5 of the act of June 28, 1938, to all funds heretofore appropriated for the prosecution by the Secretary of Agriculture of works of improvement.

Section 8. Total authorization in bill and maintenance

Section 8 authorizes \$260,000,000 for appropriations. It authorizes \$10,000,000 for examinations and surveys. It authorizes \$5,000,000 to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement. It also authorizes appropriations necessary for the operation and maintenance of flood-control works to be operated and maintained by the United States.

[Here the gavel fell.]

Mr. ENGLEBRIGHT. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this flood-control bill was reported unanimously to the House by the Committee on Flood Control after very exhaustive hearings. We heard witnesses from practically every section of the United States—local people, engineers representing flood-control boards and levee districts, and citizens of all types who were interested in the measure. Every section of the country was given consideration. I do not believe that for many years there has been a bill for public improvements prepared with the care that has been given to the present measure. This bill is a flood-control bill in the full sense of the word, but some projects carry possible future hydroelectric developments. The bill has a distinct national-defense character in the protection of industrial areas from floods.

I want to compliment the chairman of the committee for the care with which he studies these projects. He is a student of the flood problems in every section of the country. He is extremely conscientious. He consults with the Corps of Engineers daily during the hearings,

and he is unbiased in his opinions. In my judgment, this bill should pass by a unanimous vote of the House.

[Here the gavel fell.]

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 7 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I add my word of appreciation to those that have already been said in behalf of the chairman of this committee. I have appeared before a great many committees in the course of my congressional experience, but I can truthfully and honestly say that I never was more courteously treated, nor could the witnesses I brought forward have been more courteously treated than they were by the present chairman of the Flood Control Committee. This is entirely irrespective of the fact that the projects in which I am interested have been favorably considered by the committee. It is purely academic in complimenting the chairman of the committee for the efficient manner in which he serves the House, and as well for the courteous fashion in which he treats the witnesses who appear before the committee.

The problems that are of interest to me are two, that of the Connecticut River which appears on page 4 of the bill, and the Hudson River Basin which includes the Hoosic River, and appears on page 5. I think the best authority for the inclusion of these projects in the present bill is given by the House report where it refers to both projects as being deserving of the consideration of the Congress and also as contributing to national defense.

Proof of the need of the Connecticut River project is the experience over the period of the past few years along this river and its tributaries. The city of Holyoke is one of the largest industrial cities in the country so far as concentration of manufacturing is concerned. I do not mean it is the largest in size, but I mean it has great concentration of industrial production. The mayor of the city of Holyoke appeared before the committee and I think the picture he presented at the last hearing is still in the hearing room of the committee. This river is practically one continuous paper mill throughout the entire length of the section where the retaining wall is needed to protect these industries. One of the large businessmen of the city who appeared as a witness, testified that one mill had bought \$1,000,000 worth of cotton to be used in the production of national-defense contracts, but that they were obliged to hire space in the upper part of the city to store this cotton, so afraid were they of a repetition of the floods that have come down through the Connecticut Valley over a period of years. There was a tremendous flood there in 1936, and the legislation of that year covered the conditions that resulted from the high water of that time, the highest water they had up to that time ever known. Two years later, in 1938, an even greater flood descended on them, a flood that destroyed millions of dollars' worth of property. There is testimony to the effect that the floods of 1927 and 1936 caused direct damage of \$60,000,000

in that particular area. So it is not a matter of conjecture as to the danger existing in the minds of the business people of that area.

Further than that, in Holyoke one part of this project has been finished, but it so happens that from an engineering standpoint the completion of that project makes the possible damage to the city greater than if nothing had ever been done. I believe the chairman of the committee will confirm this statement. This places an additional obligation on the Federal Government to carry out its original project. I therefore urge very strongly the inclusion of this item in the bill. Witnesses have appeared before the congressional committee on two different occasions. Engineers have all reported favorably as to the need of it, and I call it to the attention of the House at this time for inclusion in this bill.

Now, a word in relation to the Hoosic River. The bill follows the recommendations of the Army engineers in House Document 182 of the Seventy-sixth Congress and authorizes an appropriation of \$2,178,000.

Flood damages in the past have occurred along the Hoosic River on an average of once in every 3 to 5 years. Until the 1927 flood, however, such damages had not been of sufficient magnitude to arouse the communities to concerted action in the matter of flood protection. With a disastrous flood in 1936 and another of even greater violence in 1938, the entire Hoosic River Valley became intensely interested in such protection.

The tributary area of the Hoosic River is mountainous in character, with steep slopes from the mountain ridges to the relatively narrow valleys below. In the section in which I am especially interested the valley is not over 2 miles wide and the mountain grades are steep, so that when the floods come the force of water is terrific and the resulting damage to property beyond description.

In my district the Hoosic River runs through the industrial communities of Adams and North Adams. The industries and a large portion of the employees are housed in the narrow confines of the valley, so that both groups suffer the full force of the floodwaters. The mills and factories in these communities are working night and day on defense contracts. The communities themselves, with such aid as the State has been able to give, have done what they could, but the problem is of such magnitude that only the Federal Government can provide the necessary protection.

Therefore I join with the members of the Flood Control Committee, especially as regards my particular interest in this bill, in hoping that a unanimous agreement of the House will be reached and a unanimous vote will be cast this afternoon for this very meritorious measure.

[Here the gavel fell.]

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, I do not expect to speak at any length in regard to this bill, perhaps not the full 5 minutes which have been allotted me.

I, like others who have served on more than one committee of the House, find myself in an awkward position in comparing the work of the chairman of the Flood Control Committee with the work of chairmen of other committees. I do not believe it is an overstatement of the fact to say that in the gentleman from Mississippi, Judge WHITTINGTON, the Flood Control Committee has one of the finest men in charge of a committee it is possible for Congress to produce. I have served on this committee now for 5 years. I have never seen anything which looked like partisanship come into any discussions before the committee. As a presiding officer he is without equal.

So far as the flood-control program is concerned, it has developed to a point where we are discussing not only flood control, as we did 5 years ago, but the multiple use of water in our various streams. We find that we are not only obtaining benefits for our citizens by spending money on flood-control measures, saving them from losses which they have been incurring from great floods over many years, but we are also securing actual dividends from the use of water for purposes for which it is needed. This includes navigation, to which the chairman referred. Today our rivers are coming back to a point where they carry more traffic than they did in the days of the steamboat and before the railroads supplanted the steamboats. Likewise we find that by joining our flood-control dams with hydroelectric power we are able to produce power for the citizens of these different valleys at a cheaper rate than it is possible for the utilities to provide similar electricity from steam-generated plants. That is true in the Connecticut Valley today.

In the valley of the Connecticut during two floods alone, in 1927 and in 1936, the direct losses were \$60,000,000 and the direct plus the indirect losses \$120,000,000, which is in excess of the total amount of money to be expended for flood control in that valley. Since 1936 we have had an equally great flood, and the worst of all time. That was in 1938.

The result will be that when the entire system is completed seven cities and towns will be absolutely protected from any possible flood that has been envisaged by the Army engineers and the reservoirs to be constructed will take about 8½ feet off the crest of any flood which they have planned for. This being so, we find that with the ability to control all this high water, the smaller towns where the farming is done and where it is not possible to protect them with local works, will probably suffer no losses in the future from springtime freshets and will be safe from all floods other than extraordinary ones.

I am sure that the people of the Connecticut Valley feel that the Congress in this flood-control bill and in other bills which have gone before it is doing a wonderful piece of work for the whole of the United States. In addition to the Connecticut River we find for the first time in this bill the Thames River. When this project is carried out four reservoirs will be built in Massachusetts and three in Connecticut.

[Here the gavel fell.]

Mr. ENGLEBRIGHT. Mr. Chairman, I yield such time to the gentleman from Nebraska [Mr. CURTIS] as he may desire.

Mr. CURTIS. Mr. Chairman, I believe that this bill has been very carefully worked out, and I join with the chairman in urging the House to adopt it by a unanimous vote. I would be violating my own conscience if I did not take a moment to pay tribute to the fine work of the gentleman from Mississippi [Mr. WHITTINGTON], the chairman of our committee. The manner in which he conducts the work of his committee, his fairness, his knowledge of the problems involved, his patience, and the thoroughness he displays in undertaking a problem is most gratifying to all of us.

I would also like to compliment the Corps of Army Engineers for their work in flood control. They are both dependable and successful. Their cooperation with the committee has been most helpful.

For the purpose of the RECORD I wish to speak on the part of this flood-control bill, H. R. 4911, that deals with the territory which I represent. This bill carries an authorization for an appropriation of \$7,000,000 for initial work on the Republican River, this being a part of the Missouri River Basin. The particular language which I refer to is as follows:

Including the project for the Harlan County Reservoir on the Republican River, Nebr., recommended by the Chief of Engineers in House Document No. 842, Seventy-sixth Congress, third session, and such other supplemental flood works on the Republican River as the Secretary of War and the Chief of Engineers may find advisable.

It is not my purpose to reiterate all of the flood damages that have been suffered in the Republican Valley in recent years. Very frequently flash floods occur in that watershed, and do a great deal of damage. The greatest flood from the standpoint of the loss of human life, occurred in 1935. During that flood, 112 Nebraskans lost their lives. Great damages were sustained by farm land, buildings, roads, bridges, railroads, livestock, farm machinery and everything that came within the path of that great flood. Since that time, there have been several devastating floods in the Republican watershed of Nebraska and Kansas. Only a few weeks ago, following heavy rains over a wide territory, the river again went out of its banks. In those tributaries of the Republican which experienced these recent heavy rains, damages to farm lands surpassed those of 1935 for specific localities. Likewise, numerous tributaries during 1940 witnessed more extensive damages than in 1935. So the 1935 flood can be used as a barometer only insofar as the loss of lives far surpassed other periods of high water.

These floods have been one of the major factors in the loss of the top soil in this area. The problem has been neglected for so long, that the soil situation is serious and an investment in flood control for this basin would pay dividends in many ways. It not only protects life and property from the ravages of high water, but it conserves the soil, and impounds the water to be used on the parched land in the dry periods which always follow.

The testimony from the Office of the Chief of Engineers described the flood problem in the Republican Basin as twofold. It involves impounding the water and protecting the lower valley from great floods, particularly the area around Kansas City. The second portion of the problem is local protection for the upper Republican River and its tributaries. The language quoted above from the bill was intended to meet that two-fold problem. It calls for: First, the construction of an on-river dam at Republican City, Nebr., sometimes known as the Harlan County Reservoir, and second "such other supplemental flood-control works on the Republican River as the Secretary of War and the Chief of Engineers may find advisable."

The 1938 flood-control bill authorized an on-river dam near Milford, Kans., for the protection of the Kansas City area. House Document 842, Seventy-sixth Congress, third session, recommends the Harlan County Reservoir instead of the Milford, Kans., dam. H. R. 4911 authorizes this change. This will bring the benefits of flood control to four Nebraska counties, considerable territory in Kansas, and at the same time result in practically the same amount of protection to the Kansas City area as would the Milford, Kans., dam. The site for the reservoir in Harlan County is claimed superior by the Engineer Corps, and the storage costs would be less.

In the report filed by the committee, and accompanying this bill, we find the following statement concerning the necessity for the early construction of the Harlan County Dam:

Destructive flooding is a constant threat to farm lands and urban property in the Republican, Kansas, and Missouri River Valleys. The flood danger to 154,000 acres in the Republican River Valley would be completely removed by the construction of the Harlan County Reservoir on that river, 236 miles above its mouth. In addition, this reservoir, together with two other reservoirs in the Kansas River Basin—the Kanopolis Reservoir, now under construction, and the proposed Tuttle Creek Reservoir—would provide partial protection for agricultural lands in the Kansas and Missouri River Basins, and would enhance flood protection at such important municipalities as Topeka and the Kansas Cities, where the design of local protection works now under construction is predicated on the eventual construction of upstream reservoirs. Many industries and facilities vital to the national defense lie within the area to be protected. Improvements for flood control would be beneficial to—Substantial portions of the military reservation and all of the Air Corps flying field at Fort Riley, Kans.; to two airports at the Kansas Cities; to defense training schools; to a large assembly plant for military aircraft, now under construction near Kansas City; to the stockyards and packing plants and the major portion of the grain-storage and flour-milling facilities at the Kansas Cities; and to the important transportation network at the Kansas Cities and in the Kansas and Missouri River Valleys.

The Harlan County Dam should be built as soon as possible.

It has been the opinion of the Army engineers that complete flood protection to the lower portion of the basin could not be obtained without an on-river reservoir on the Republican River. If a reservoir were built at Milford, Kans., it

would give protection to industrial Kansas City, but not to anyone upstream. The engineers believe that the Harlan County Dam is the point farthest west that they could go for an on-river reservoir which would at the same time give full protection to the lower basin as would the Milford Reservoir. The very favorable ratio of benefits to costs for a large on-river dam exists because of the protection it gives to the more expensive industrial properties of Kansas City.

The engineering details for flood protection for the upper Republican River and its tributaries have yet to be worked out by the Army engineers. This upper territory has suffered each year from floods. In the 1935 flood, previously mentioned, most of the lives were lost in this upper portion of the basin. The loss of land, crops, soil erosion, and other problems in the upper basin likewise have been very heavy throughout the years.

While it is true that other agencies may bring some flood protection to the upper basin, the work of the Army engineers will not be completed until they extend flood protection to the entire valley. It is hoped that the Bureau of Reclamation and the Department of Agriculture will, before long, contribute to the solution of the flood problems in the upper portion, but the task of the Army engineers is not completed until flood protection is given to the entire Republican watershed. The language of this bill establishes such a policy and conforms to the twofold idea of the problem as expressed by the Office of the Chief of Army Engineers. That is why the language has been used—

In addition to the Harlan County Reservoir such other supplemental flood-control works on the Republican River as the Secretary of War and the Chief of Engineers may find advisable.

I am told that the district engineer at Kansas City has advised Nebraska State officials, as well as residents of the upper watershed above Republican City, that the Engineer Corps can find feasible the construction of an on-river dam as well as a number of tributary dams, with the benefits from such construction equaling estimated costs. The corps is now at work studying flood-protection needs of the entire watershed. The Army has been directed to harmonize its studies and conclusions with those of the Bureau of Reclamation so that ultimate construction would provide joint flood control and irrigation. Only through such a program can the agricultural economy of this entire valley be restored and stabilized.

Residents of the upper valley are cognizant of the necessity for flood control at Kansas City because of national-defense industries located there, and so are perfectly agreeable to the construction of an on-river dam at Republican City for that purpose. However, they will continue to demand that all feasible flood control be provided to meet their most pressing needs upstream. For this reason, it seems essential that the Engineer Corps bring forth as quickly as possible a program of flood control for the entire watershed, to make habitable once again those equally rich upstream farm areas.

Mr. Chairman, the earth's surface is limited. At the present time, and

throughout the ages, nations have fought expensive wars to gain rich, fertile land. We are not true to our highest responsibilities until we have done everything that we can to conserve the water and soil of America. It is an established policy of our Republic. I think it is rightly so. On July 1, 1854, Abraham Lincoln said:

The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot do so well for themselves in their separate and individual capacity. In all that the people can individually do as well for themselves, government ought not to interfere.

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, the bill now before the House is, in my opinion, the best flood-control bill that has been presented to Congress since I have been a Member of this body. The committee has worked long and diligently. In fact, this bill is the result of the hearings for 2 years. Last year we held hearings for about 3 weeks and, as you know, we did not report out a bill. This year we held additional hearings for 3 or 4 weeks and I can therefore assure the Members of the House that every item in this bill has been most carefully considered. I hope that the bill will receive the united support of the membership.

When I came to Congress, I inherited a tremendous flood-control problem for Louisiana. Some years ago Congress provided for overland floodways to accommodate the excessive waters on the Mississippi River. This Congress has heard before of the Eudora floodway. When I came here, I came determined to do my best to free Louisiana from the blight of this floodway. To me, it seemed a terrible thing to destroy nearly a million acres of the finest land in the Mississippi River Valley by converting it into a sort of river. It was unfortunate that the interests of the great States of Mississippi, Arkansas, and Louisiana did not harmonize on this question. The overland floodway through a portion of Arkansas and Louisiana gave protection to our sister State of Mississippi but it created a very bad situation for Louisiana. We have sought repeatedly to solve that problem. We wanted to do justice by each State. This bill does not give us exactly what we had asked, but it is the nearest possible approach to it. This bill, insofar as this particular flood-control problem is concerned, is somewhat of a compromise, but I want to say that this bill puts Louisiana in the very best position it has ever been in in its entire history. The bill eliminates entirely the Eudora floodway. The people in the Delta section of Louisiana can therefore have more peace than ever before. They get protection from floods and that is what they want. Mr. Chairman, this is therefore a happy moment for me when I can stand in this House and see the culmination of my efforts to get rid of the Eudora floodway. Chairman WHITTINGTON, Senator OVERTON, and the gentleman from Arkansas [Mr. NORRELL], have cooperated with me in these

matters, and I am happy that our efforts have borne fruit.

Not only does this bill eliminate the Eudora floodway, but it gives the great Red River backwater area protection equal to the Yazoo River backwater area on the Mississippi side. This means that the Red River backwater area will have far greater protection than ever before. There are other projects in Grant and Rapides Parishes on Red River included in this bill which will be of great benefit to the people. There are still other projects, particularly on Red River, which we have not been able to include in the bill in the House because the reports of the Board of Engineers have not been officially submitted to Congress, but I hope that these reports will be received in time to include them when the bill reaches the Senate.

While I have spoken of the great problem which we have had in the lower Mississippi River region, I wish it understood that I am also interested in the flood-control problems of the entire Nation. I have been happy to cooperate with my colleagues from other sections. Flood control long ago became a national problem, and this committee so views it. At our recent hearings we considered the problem at length from a national-defense standpoint. We held exhaustive hearings on dams and reservoirs for power for the future development of strategic minerals. You will find in the hearings some very worth-while information on this phase.

In conclusion, Mr. Chairman, I want to express by appreciation to the gentleman from Mississippi [Mr. WHITTINGTON], who is the very capable chairman of this committee, and to all the other members of the committee for their cooperation and help, and I sincerely hope that every Member of this House will vote for this very fine flood-control bill. [Applause.]

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I would like to reiterate what I said awhile ago when I interrupted the chairman about my sincere appreciation for the splendid manner in which he conducts his committee. It is a pleasure to serve on it for that reason.

I also wish to say that the passage of this bill means a very great deal to the section of the country from which I come, a section where we have 3,000,000 people in an area approximately 40 miles by 50 miles in area. Practically all of these people are subject to danger from floods that come to us without more than sometimes a couple of hours' notice. In this bill there is included the approval by the Congress of what is known as House Document No. 838, which is a new and revised plan of the Corps of Engineers for flood control in the Los Angeles and San Gabriel River Basins. That plan will, we believe, when consummated give us a real program of flood control in our area.

I should also like to say that our county, the county of Los Angeles, has already expended of its own funds in excess of \$100,000,000 for flood-control purposes,

and it certainly intends to continue to carry its end of the load and also to cooperate fully with the Federal program.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from California.

Mr. HINSHAW. I believe that the gentleman had the honor of introducing the bill which became the act of June 22, 1936, and that, as a distinguished member of the Committee on Flood Control, who is always looking out for the interest of our joint section of the country, he is familiar with the bill H. R. 4348, which I introduced, the purpose of which was to effectuate the act of June 22, 1936.

I understand that section 7 of the bill carries certain funds for the purposes of the act of June 22, 1936. Would the gentleman kindly state what the total authorization will be for the purposes of the Department of Agriculture when this bill is passed?

Mr. VOORHIS of California. I thank the gentleman for what he said in his question. I may say that the act of June 22, 1936, was the regular flood-control bill of that year. It is true there was another short bill introduced to set up upstream flood-control work by the Department of Agriculture, and that was included in the general act. Naturally, the gentleman and myself are both deeply interested in that upstream flood-control work because in our section water conservation is quite as important as flood control. We want to conserve as much water as we can and throw it underground.

Mr. HINSHAW. I believe it was hoped by the Department that H. R. 4348 would be included as a section in this bill.

Mr. VOORHIS of California. I may say to the gentleman that in this bill we have appropriated an additional \$5,000,000 for the upstream work of the Department of Agriculture. The chairman will correct me if I am in error in saying that that means a total appropriation available to the Department of approximately \$19,000,000 up to date.

Mr. WHITTINGTON. The gentleman is correct, and it is fair to say also that this is primarily a flood-control bill and that the Congress of the United States appropriated approximately \$20,000,000 in the agricultural appropriation bill for soil conservation. I may also say that I feel sure the Department of Agriculture feels that we have done as well as we could for them in this bill.

Mr. HINSHAW. Would the gentleman be interested in the language contained in H. R. 4348 for future purposes?

Mr. WHITTINGTON. I am always interested in any language in any bill about flood control or soil conservation, but this language here is pretty carefully studied out. I am always glad to look further into the matter of which the gentleman speaks, but I may say that we heard the Department of Agriculture and consulted with them with respect to this authorization.

Mr. HINSHAW. I thank the gentleman.

Mr. VOORHIS of California. I believe that those are the only things I feel com-

pelled to say right now about this bill. I should like to add my word to those of the others who have spoken to the effect that I hope very earnestly that it will pass the House without dissent. I am certain that as we look forward to the future, to the time when, as we all hope and pray, the present international crisis will be over, it is most important that there be prior to that time studied out by us all, in the most careful way possible, various means of seeing to it that unemployment and things of that kind do not result. I believe this bill is a contribution to that end.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I yield the gentleman from Arkansas [Mr. NORRELL] such time as he may desire.

Mr. NORRELL. Mr. Chairman, I believe this bill to be the most equitable flood-control legislation that has been presented to the House since the great flood of 1927. The bill is not perfect; it is not all that some of us had worked for; but it is much better than previous flood-control bills. We believe it should be unanimously passed by the House.

On April 21, 1927, a portion of the district of which I have the honor to represent, suffered the most tremendous and devastating flood recorded in history. The flood of that year in the alluvial valley of the Mississippi River took a toll of something like 200 lives, rendered approximately 700,000 people homeless for approximately 1 month, and inflicted property damage estimated to be upward of \$200,000,000. Since 1927, we have been wanting flood control within the levee walls of the Mississippi River, but nothing has been done by Congress during all of these years to accomplish this desire on the part of our splendid citizens. It is commonly known that flood control in this section of the Mississippi River is the greatest problem of its kind in all the world. General Tyler, before our Flood Control Committee hearings this year, testified, in part, as follows:

It is well known that flood control in the alluvial valley of the Lower Mississippi River is the greatest problem of its kind in all the world. For over 50 years, or perhaps 100 years, progress on that plan has been continuous until the protection now afforded is good, better than anybody 25 years ago thought it would be.

After the devastating flood of 1927 the only request our citizens made of the United States was that our National Government give us a fair assurance that the calamity of 1927 would not again occur.

On May 15, 1928, the Congress of the United States recognized and accepted national responsibility for flood control on the main stem or channel of the Mississippi River throughout its alluvial valley, and adopted the Jadwin plan, as set forth in House Document No. 90, Seventieth Congress. The Jadwin plan, among other things, provided for a diversion from the main channel of destructive floodwaters in excess of the carrying capacity of the then existing levees, the most important of which diversion was the Boeuf floodway in the critical

middle section of the river lying immediately south of the mouth of the Arkansas River and flowing through southeastern Arkansas into Louisiana designated to carry approximately 100,000,000 cubic second-feet of water, six times the volume of water flowing normally over the Niagara Falls.

The property owners of that area upon the passage of the act, assumed that it was necessary for the floodway to be constructed in order to give the maximum levee benefits possible to the greatest area affected by the floods, and while they did not desire to sell their property and very greatly hoped for adequate flood control, they felt that under the guaranty contained in the fifth amendment to the Constitution of the United States that "private property shall not be taken for public use without just compensation," they were entitled to equal levee protection for just compensation for their property. They were willing for the authorities to determine which should be done: First, levee protection; second, compensation for property, caused by the floodway. I think it can be said that the property owners accepted the decision at that time of Congress, that the sacrifice of their property in the Boeuf floodway was necessary in order to protect the remainder of the alluvial valley of the Mississippi River, and, of course, assumed that they would receive fair and reasonable compensation for their property.

To this end a test suit to collect reasonable compensation for their property was prosecuted through the Supreme Court of the United States under the style of Mrs. Julia Caroline Sponenbarger against United States, and the Court's decision was to the effect that they were not entitled to compensation. Hence, if they are not entitled to compensation, they now take the position that they are entitled to equal levee protection with their neighbors to the north, south, and east of the Mississippi River, such levee protection now being possible according to the testimony and reports of our Army engineers.

In the report of the Army engineers, contained in Document No. 90, several suggestions for the control of the floodwaters of the Mississippi River were made. They have been very efficient in their work and have secured the maximum benefits from several of the methods suggested in House Document No. 90 to reduce the flood hazards of the Mississippi River. Some of the methods are as follows:

- First. Dredging the river annually.
- Second. Side channels.
- Third. Set-back levees.
- Fourth. Straightening river channel.
- Fifth. Clearing between levees.
- Sixth. Forestry work.
- Seventh. A multiplicity of other minor suggestions.

On page 18 of the Commission's report, further to illustrate how successful the efforts of our Army engineers have been in the operation of several methods of flood control, as above mentioned, we find that the Mississippi River has been shortened between the mouth of the White River and the lower end of the Glasscock cut-off approximately 137

miles. This was done by straightening the river channel. It is well established that the Army engineers have very greatly increased the flood-carrying capacity of the Mississippi River through the other methods mentioned above, and as a consequence have very greatly reduced the height of crest-flow lines of all floods confined between front-line levees.

General Tyler further testified before our Flood Control Committee as follows:

In 1928, when the existing project was laid down to include a west-side overland floodway in the middle section, the capacity of the main river leveed channel was estimated at about 1,950,000 cubic feet per second, and the capacity of the floodway at about 1,250,000 cubic feet per second. The capacity of the main river leveed channel at Arkansas City is now about 2,600,000 cubic feet per second. Had these conditions existed in 1928 serious consideration quite probably would have been given to confining the project flood between the main levees, for to do so would not have involved such substantial increases in levee heights as were then estimated.

The report of the Mississippi River Commission contained, among other things, the following statement:

Had the flow conditions of today existed in 1928, consideration also would quite probably have been given then to a west-side floodway of less capacity than the one recommended and adopted.

These accomplishments were recognized in 1936 when Document No. 1, Seventy-fourth Congress, first session, was filed with the Congress covering the flood control of the alluvial valley of the Mississippi River. This report was dated February 12, 1935, and the abandonment of the Boeuf floodway was recommended by the Chief of Engineers and a modified floodway provided, referred to then as the Eudora floodway. The Eudora floodway was a miniature floodway of the original Boeuf floodway. At that time, owing to the improvements which had been made by the Army engineers regarding the control of flood waters of the lower Mississippi River, it was considered advisable to have a small modified floodway, and that the modified floodway, in view of these improvements, would be ample in every respect to control any flood which could even be visioned in the future by the Army engineers.

Our engineers have continued their very fine work on flood control in this and other sections of the Mississippi River, and now on page 30 of the Report of the Mississippi River Commission, now before our committee, we find the following language:

Under existing conditions of the main river channel there are three physically feasible alternatives to the adopted plan which will afford protection equal to that contemplated by the existing project when it was adopted, and a fourth which will give protection equal to that afforded by levee and flood-wall projects on other rivers.

According to this, there are now five feasible plans presented to the Congress, and which the Flood Control Committee considered. The Engineers outlined those plans and said that either at this time would give adequate flood control, but that the plan to be selected is one of policy for the Congress of the United States, and not one involving a question

of engineering. The Report of the Mississippi River Commission sets out in full the five plans presented to the Flood Control Committee.

Prior to the presentation of the report of the Mississippi River Commission, as a member of the Flood Control Committee, I introduced H. R. 3064 in the House of Representatives, and Senator OVERTON, of Louisiana, introduced S. 705 in the Senate. My bill was, and is, as follows:

A bill to amend the project for flood control of the lower Mississippi River adopted by the act of May 15, 1928, as amended by the acts of June 15, 1936, August 28, 1937, and June 28, 1938

Be it enacted, etc., That the act of May 15, 1928, as amended by the acts of June 15, 1936, August 28, 1937, and June 28, 1938, is hereby amended so as to provide that the project for flood control in the alluvial valley of the lower Mississippi River existing at the present time in accordance with the provisions of said act is hereby modified, and as thus modified is hereby adopted, as follows:

Pending the completion of the ultimate plan for flood control in the alluvial valley of the lower Mississippi River, the Chief of Engineers of the United States Army is authorized to make revisions in the grades and sections of the main line Mississippi levees on both the east and west banks and to adjust and equalize the unequal freeboards which now exist, or may hereafter develop. Between the latitude of the Arkansas River and a point at, or south of, Deer Park, La., revision, adjustment, and equalization shall be made so as to obtain net grades of existing front-line levees generally of such height above the computed crest-flow line of the project flood as the Chief of Engineers may deem advisable as affording reasonably safe protection against such project flood.

The Boeuf floodway in the project adopted by the act of May 15, 1928, and the Eudora floodway, as well as the back-protection levee extending from the head of the said Eudora floodway north to the Arkansas River in the project, adopted by the act of June 15, 1936, as amended, are hereby abandoned.

The levee on the south side of the Arkansas River shall be enlarged in grade and section so as to afford, in the opinion of the Chief of Engineers, reasonably safe protection against the project flood of the Mississippi River.

From time to time additional protection against floods shall be given simultaneously to, and equitably distributed between, the Yazoo River backwater area and the Red River backwater area under such plans as may be approved by the Chief of Engineers.

The total authorizations heretofore for the flood-control project of the alluvial valley of the Mississippi River shall not be increased by reason of any provision in this act, but any appropriations heretofore or hereafter made or authorized for said project may be expended upon any feature of the said project, notwithstanding any restrictions, limitations, or requirements of existing law.

The bill carries out plan No. 4 of the Mississippi River Commission.

Before the Flood Control Committee this year I exerted every possible effort to secure the approval of the Overton-Norrell bills. Each of these bills, as above stated, provides for the abolition of the floodways, construction of the levees on the Arkansas side to the 1940 grade and section, equal in height and strength to the levees on the opposite side of the river, giving fair and equal protection to both sides of the river.

The Mississippi River Commission reported that this could be done. General Tyler and his corps of assistants testified before the Flood Control Committee that such plan could be done. Engineers and a number of lay witnesses gave the same testimony. Testimony also before the Flood Control Committee was that under the law Mississippi levees now are from 3 to 6 feet higher than the levees on the Arkansas side in various places and that under the law they have the flood protection of the floodways and fuse-plug area on the Arkansas side, and that the citizens of Mississippi very vigorously oppose the abolition of these existing differences between the east and west sides of the river.

After much testimony and extensive arguments the Flood Control Committee finally recommended the adoption of plan No. 4, which was the provision of the Overton-Norrell bills, with one modification, to wit: That the levees in the Yazoo Basin on the east bank of the Mississippi River, south of Coahoma-Bolivar County line in said plan, shall have a 2-foot freeboard over the west side of the river in this area.

The Flood Control Committee rewrote this provision of my bill, and I quote in part from the bill now under consideration, H. R. 4911, which is the omnibus bill of 1941, from line 6 of page 10 to line 6 on page 11, having to do with this section of the Mississippi River, as follows:

The project for flood control of the lower Mississippi River adopted by the act of May 15, 1928, as amended by the act of June 15, 1936, as amended by the act of August 28, 1937, and June 28, 1938, is hereby modified and, as modified, is hereby authorized and adopted, and the Flood Control Act of June 15, 1936, as amended, is amended as follows:

(a) The existing engineering plan for flood control in the alluvial valley of the Mississippi River is hereby modified so as to provide for the construction of plan 4 as set forth in the report of the Mississippi River Commission, dated March 7, 1941, to the Chief of Engineers, except that the levees in the Yazoo Basin on the east bank of the Mississippi River south of the Coahoma-Bolivar County line in said plan shall have a three-foot freeboard over the project flood, and all levees shall be constructed with adequate section and foundation to conform to increase levee heights. The Boeuf floodway in the project adopted by the act of May 15, 1928, and the Eudora floodway as well as the northward extension and the back protection levee extending from the head of the said Eudora floodway north to the Arkansas River in the project adopted by the act of June 15, 1936, as amended, are hereby abandoned, and the provisions of said acts relating to the prosecution of work on said floodways and extensions are hereby repealed.

The actions of the Flood Control Committee in reporting this change in the law with reference to the Mississippi River is adequately supported by our Army engineers. I quote their testimony in part as follows:

Whatever may be the ultimate plan for the middle section, it is apparent that advantage should be taken of the opportunity to attain increased protection at small cost by bringing up to some common and higher grade the lesser levee freeboards that now intervene between reaches of maximum stage lowering. Not to do so is to fail to obtain the maximum possible return on a portion of the

present investment, for the maximum possible return on a portion of the present investment for the maximum freeboard is the controlling freeboard, and makes the contiguous higher freeboard of little avail.

Complete confinement of the project flood to the leveed channel of the main river throughout the middle section appears now to be physically practicable.

The Eudora and Boeuf floodways, insofar as they represent definite projects and locations, could be abandoned.

General Tyler has testified that No. 4 would give greater flood protection benefit to a wider territory than any of the other suggested plans. General Tyler and the other engineers, however, take the position that since they have advised Congress with reference to the engineering and financial feasibility of these several plans, and that either is now physically possible from an engineering standpoint, the plan actually to be inaugurated is a question for Congress to determine, as it is purely a matter of policy, and not an engineering question.

For approximately 14 years the citizens of the Boeuf and Eudora floodways have been subjected to the constant and continuous menace of the floodways, fuse-plug area, and differentials in existing levees from 3 to 6 feet in the floodway area. They have lived for approximately 14 years under the shadow of the fuse-plug levee that might at any unexpected time be used by the Government in diverting the destructive waters of the Mississippi River and consequently again, and in a most terrifying form, flood their lands as was done in 1927, when approximately 200 people lost their lives, 700,000 others were made homeless for approximately a month, and something like \$200,000,000 worth of property was destroyed. If the floodway is not necessary, they do not wish to live under the shadow of the act of Congress providing for the floodway. Their property has been constantly damaged by virtue of the provision of our statutes, insurance rates have been increased, loans cannot be secured, and normal development cannot be expected by that section of the alluvial valley of the Mississippi until the floodway is abolished, and they are given equal levee protection.

The adoption of the Overton-Norrell bill, even as amended herein by the committee, and placing in operation plan No. 4, as modified, will have the effect of restoring an empire on the west side of the river in Arkansas and Louisiana to its rightful position. It will remove the constant fear that has been upon them for 14 years, and the hazards and uncertainty under which they have lived, give the west side security, increase values, and permit a healthy, normal development.

They are desirous that these mandatory provisions be enacted by the Congress to divert the presently existing fuseplug levee in southeast Arkansas into a standard levee of 1940 grade and section, giving to all the property owners in the presently existing Boeuf and/or Eudora floodways adequate protection.

I have also been intensely interested in adequate levees on the south bank of the Arkansas River from Little Rock to

Pine Bluff, Ark., for the protection of one of our best agricultural areas and for the protection of other important enterprises.

Fortunately, we have succeeded in obtaining a favorable report and recommendations from the Chief of Engineers, United States Army, after the Army Board of Engineers for Rivers and Harbors had completed a thorough study of the matter over a period of several years. I and others who have been earnestly interested in flood control in this area were pleased to have this highly important recommendation.

Need for these levees is emphasized by the lengthy history of disastrous floods in the locality from Little Rock to Pine Bluff. The Board of Engineers for Rivers and Harbors found that "during the 66½-year period of record, flood stage has been equaled or exceeded 46 times in Little Rock." These floods occurred in an area where the property value has been set by Army engineers at \$2,375,310 and the annual farm income is estimated to be \$1,180,079 annually when not interfered with or damaged by floods. The vast extent of damages is not known. Estimates, however, that have been made reveal the desperate need for action by this Congress. Other than the destruction of crops, there has been with each flood tremendous damages to fences, farm houses, barns, and other outbuildings, farm implements and tools, drainage ditches, loss of livestock, damage to existing levees. These represent direct losses. Indirect losses include interruption of business and gainful occupation during and after a flood, interruption of traffic, evacuation and reoccupation of the flooded areas, the pollution of wells used for drinking water, the increased number of breeding places for mosquitoes, and the creator of other conditions adverse to human health and happiness. All of these conditions reveal the need for corrective legislation.

The Board of Engineers for Rivers and Harbors has made this recommendation:

Raising, strengthening, and extending of these levees to give complete protection against floods—at a cost fully warranted by the amount of direct damages prevented, the indirect damage that will be eliminated, the appreciation in the value of lands that can profitably be put to productive use, and the general, though intangible, benefits to a large number of people through the threat of frequent disruption of normal activity. The Board recommends that the levees along the south bank of Arkansas River, between Little Rock and Pine Bluff, Ark., be raised, strengthened, and extended generally in accordance with the plan contained in the report of the district engineer, at an estimated first cost of \$641,000.

The Flood Control Committee has presented the recommendations of the Army engineers in the pending bill to the House for consideration, and I sincerely hope that this feature of the bill is retained.

I appreciate the actions of our distinguished chairman in agreeing to plan No. 4, submitted by our Army engineers and modified by the committee as above stated. I appreciate the actions of the committee in voting the additional flood-

control protection for Arkansas. I very greatly appreciate the fine cooperation I have had from General Tyler, Major Reber, and other engineers from the War Department. They have all been very helpful. Of course, I deeply appreciate the efforts of citizens of Arkansas and Louisiana in coming to Washington and testifying with reference to the matter before our Flood Control Committee, and on behalf of them, I wish to express my appreciation to the membership of the House for the passage of the bill today, and I sincerely hope that it is passed in the Senate and approved by the President.

If it is finally enacted into law, I am advised by our Army engineers that it will constitute a very enormous saving to the Government and at the same time there will be expended in the building of the levees on the Arkansas and Louisiana side the sum of \$31,453,000—the sums of \$17,128,000 for work in Arkansas and \$14,325,000 in Louisiana.

Mr. Chairman, last but not least, I desire to express my appreciation to the gentleman from Arkansas, Mr. HARRIS, who so ably represents Chicot County, for his very fine cooperation and outstanding service with reference to perfecting this plan before our Flood Control Committee. He has rendered every possible service. Also, I shall always be grateful for the outstanding service rendered by Senator OVERTON and Congressmen MILLS and ALLEN, of Louisiana, who never ceased to exert every possible effort for enactment of the proposals included in this measure.

Mr. WHITTINGTON. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, when the committee was holding hearings I appeared in opposition to any projects on the White River in Missouri and Arkansas which would provide for generation of power. My outstanding objection is that I am informed there is an abundance of surplus power now being generated on the Grand River project in Oklahoma that is available for the area that would be served by the White River projects.

It is true this bill only provides for one project—that at Norfolk—Table Rock and Bull Shoals being eliminated. The Norfolk project gets \$24,000,000, but let it be remembered if in the end the flood-control project is abandoned and it becomes a joint flood-control and power project the ultimate cost will be \$79,000,000 with \$25,000 annually for maintenance.

Until it is shown beyond question that a power project is actually needed in this section of the country I maintain it should not be authorized. The Grand River Dam is owned by the State of Oklahoma, and that State is willing and ready to furnish power at an extremely low rate.

One of the first votes I ever cast in this House was for the Sears amendment, which provided for reservoirs in connection with flood-control projects. Unfortunately, that amendment was defeated, although some years after the view of the gentleman from Nebraska, Mr. Sears, was accepted and reservoirs

were authorized as a result of which floods have been eliminated in many parts of the country.

The Norfolk Reservoir is under way as the report shows, but provisions are made in this bill in the proviso at the bottom of page 3 for pen stocks or other similar facilities adapted to possible future use in the development of hydroelectric power. They can be installed for future use in the development of hydroelectric power. This, however, must be approved by the Secretary of War, upon the recommendation of the Chief of Engineers and of the Federal Power Commission. It is my purpose to appeal to the Secretary of War, as well as the Chief of Engineers and the Federal Power Commission, to make a complete survey to determine whether or not there is sufficient power in this area being generated at the present time to satisfy the needs of this part of Arkansas and Missouri.

As the report clearly indicates, this is an undeveloped section of the country. True, it is supposed to be rich in minerals as well as raw materials. The report further shows that it is a nonindustrial region. We should be extremely careful in providing for the expenditure of such a tremendous amount of money on a hydroelectric project if there will be no demand for the power generated.

Some would lead you to believe that the people of this section of the country are unanimous in favoring this project, but my mail clearly indicates that this is not the case. The conservationists are especially very active in their opposition.

I realize the futility of endeavoring to defeat this provision in the bill, but, nevertheless, no matter if I am alone in my opposition, I am opposed to it until, as I said before, it is clearly demonstrated it is the only way that power can be secured for this area.

Mr. WHITTINGTON. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, I wish to thank the chairman of the committee for yielding me time to call to the attention of the House again the condition that exists in the Mahoning Valley, Ohio. I hope this bill will correct the situation that now exists there.

For the past 15 or 20 years we have been visited by floods in that valley and work has had to stop in the steel plants. We not only suffer in the wintertime but I would also like to call to the attention of the Congress the fact that out in that valley there are 75,000 men working on national defense. Three weeks ago we had a statement in the press and also by the United States Engineers that there was just enough water to run the steel plants 60 days. Can you imagine 75,000 people working on national defense, producing one-tenth of the steel manufactured in the United States, in that valley with only enough water to run 60 days?

In addition to this, in the summertime the flow of that stream falls from 50,000,000 gallons to 30,000,000 gallons and the steel plants alone use 800,000,000 gallons. Under normal conditions there are 40,000,000 gallons of that 50,000,000-gallon stream of untreated sewage and the

people of Warren, Ohio, drink that water. That is one reason the people of this Nation are known as wonder people—they can drink that sewage and still live.

I am now asking that this bill be passed because, as I repeat, just this week and every week we are losing 25,000 tons of steel in that valley, and yet the O. P. M. is asking that we build steel plants or expand them to the extent of one-half billion dollars.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. JENKINS of Ohio. What does this bill do to correct this terrible situation?

Mr. KIRWAN. It authorizes the construction of a dam at a cost of \$7,000,000.

Mr. JENKINS of Ohio. That is a very fine thing to do.

Mr. KIRWAN. I may say that I am thankful for this opportunity to tell about the conditions in that valley with respect to the school children and all of the people out there who have to drink this water.

I do not know that I ought to state this on the floor, but it was only 2 weeks ago that the Republic Steel Corporation cut into a sewer known as the Red Creek sewer, and that is all that kept the Republic plant going. If that is the kind of national defense we have got to depend on, God help this country.

For these reasons I am thankful for anything that can be done to pass this measure.

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I wish to say for the benefit of some of the younger Members of the Congress who have been praising the chairman of the committee so highly, as well as the work of the committee, when the chairman and I came to this Congress—and we came the same year—I do not know whether the Flood Control Committee had then been established or not, but, anyway, at that time it was a very small committee and was fighting for its life. The dignity to which this committee has risen since then is due largely to the work of the chairman.

As I look back over the years since he and I have been here, the gentleman from Mississippi representing flood control for his side of the aisle and I, in my humble way, trying to represent our side, much progress has come to the cause of flood control. The gentleman represented the great Mississippi Valley and I represented the Ohio Valley. I am willing to accord to him the most of the credit, yet together we, with the assistance of many other stalwart friends of this great plan to save the lives and property of those who lived in the great river valleys of the country, are glad to feel our work was not in vain.

In the short time I have remaining I would like to ask the chairman of the committee if he can tell me how the \$45,000,000 that goes to the Ohio Valley is going to be spent. I find nothing in the report to give me this definite information.

Mr. WHITTINGTON. As the gentleman is aware, most of the money that has been appropriated for the Ohio Valley for reservoirs has been spent above Pittsburgh. There are many reservoirs that are available, and they are selected in the order of their priority by the Chief of Engineers, but, to answer the gentleman's question specifically, it is my thought that for the further protection of the populous area of Pittsburgh, the Connamango Reservoir, the Berlin Reservoir, in the gentleman's State, and then a reservoir along the Miami River. This gives the information so far as the reservoirs are concerned.

Mr. JENKINS of Ohio. Then the priorities that had previously been established have been followed. I am glad of that.

The Flood Control Committee owed its origin to the fact that there were some flood and water conditions that the Rivers and Harbors Committee could not handle in the most advantageous way. For a long time after the establishment of a Flood Control Committee there was constant confusion between that committee and the Rivers and Harbors Committee over matters of jurisdiction. Gradually these differences were ironed out and the Flood Control Committee came into its own. The great flood in the Mississippi Valley, I think in the year 1927, increased the stature of the Flood Control Committee mightily. That was the time when the President assigned to Mr. Hoover the task to bring relief to the devastated areas of the Mississippi Valley, especially in the Southern States.

Then the great flood of 1936 in Pittsburgh and the great flood of 1937 in the lower Ohio Valley came, and from this terrible calamity and devastation the Flood Control Committee received additional recognition and assumed an additional responsibility. I well remember the time when the chairman and I arranged a meeting with the President of the United States whereby and from which we worked out the plan for passing proper legislation to set up what is known as the Disaster Loan Corporation. This Corporation began to function immediately and did much good in the Ohio Valley section.

About that time also we contacted the President of the United States, and from this contact we were able to work out a proposition whereby legislation was passed providing for the construction of flood walls and flood protection for the various cities and communities along the Ohio River. This law was well drawn and provided for local contribution. I am proud to say that my home city of Ironton, Ohio, was the first community in the United States to qualify for flood-control assistance under that program. I am also proud to say that my home city of Ironton was the first in which any flood-control work under the new program was done. And likewise it was the first city for which a flood-control project has been completed. The community in which I live today is living safely behind flood walls constructed by the Army engineers according to the most modern methods. The people of my city are proud of this fact, and they are glad to

feel relief against the terrible danger and inconvenience and expense of floods such as formerly visited our community.

The fact that my home city was the first to qualify under this law and the first in which the full flood defense has been completed is due largely to the wisdom and efficiency of the city manager and city council and the city officials generally and due to the patriotism of the people in my city who were willing to come forward with a sufficient bond issue to guarantee the city's part of the program.

I am proud to have been one of the pioneers in flood-control legislation in Congress, and I rejoice today with all of you that we are having up for consideration before us a bill which from all indications will pass the House by unanimous vote. There is no appropriation in this bill for any community in my district. All the communities of my district that can qualify have done so. Nevertheless, I have not lost one bit of my zeal for adequate flood protection because those of us who live in the Ohio Valley know better probably than any other people in the Nation what big devastating floods mean to a community. I want every community that can qualify to have the benefits of flood protection [Applause.]

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, having served on the Flood Control Committee for 4 years, I could not let this opportunity go by without expressing my appreciation for the excellent work the committee has done. This is another illustration of the fine work that can be done and has been done under the direction of the gentleman from Mississippi [Mr. WHITTINGTON]. They always bring in a good bill, they always bring in a good report, and the measure has been presented in an excellent way here today.

I sincerely trust the Committee will pass this bill without opposition from anyone. The Army engineers have recommended these projects, they have been thoroughly studied, the committee has made an excellent report, and we have sections in the United States suffering from the effects of floods. Let us get these authorizations through, and let us try to take care of these various sections at the earliest opportunity.

Mr. WHITTINGTON. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, as a new member of this Flood Control Committee I pay tribute to the chairman. It was a revelation to me to learn of the knowledge that our chairman has of the different streams and rivers throughout the country. The work of the committee is very interesting, and as I am representing a district that has suffered for a great many years from floods, no doubt my interest was somewhat enhanced. I represent a district where 200,000 people have suffered from floods for many years, and I know that they will be very happy when they know that this bill has been reported favorably and passed, to realize that we can look forward to a time when the lives lost and the suffering endured because of floods in our district will be

eliminated. I especially pay my respects to the chairman of the committee and thank him for the manner in which the representatives from my district that appeared before the committee were received by him and by the committee.

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire [Mr. STEARNS].

Mr. STEARNS of New Hampshire. Mr. Chairman, in view of the statement of the able and distinguished chairman of the committee with regard to the dam at Sugar Hill, N. H., it is not necessary for me to take much of the time of the House. It may seem curious to be objecting to a project for a dam in my own region, but I would like to point out that as far as concerns flood control in the upper Connecticut Valley it is not primarily for the benefit of the State of New Hampshire. The benefit is to the lower part of the valley, as described by the gentlemen from Massachusetts, for the protection of cities in Massachusetts and Connecticut. The State of New Hampshire is very glad to cooperate in such a matter, but it does want to have something to say about the location of dams when there is interference by them with local conditions.

It had been my intention to offer an amendment specifically omitting a reservoir at Sugar Hill, N. H., from the list of approved projects.

In the report of the committee, however, on page 8, I find the following language:

With the understanding that none of the funds authorized in this bill shall be used for the construction of the Sugar Hill Dam and Reservoir on the Ammonoosuc River in New Hampshire, the Flood Control Committee recommends the modification of the approved flood-control plan for the Connecticut River in accordance with the recommendations of the Chief of Engineers. The committee by recent resolution has called upon the Board of Engineers for Rivers and Harbors to review House Document No. 724, Seventy-sixth Congress, third session, and previous reports on the Connecticut River with the view of finding a substitute reservoir which can be built in the place of the Sugar Hill project.

* * * * *

The Bethlehem Junction Reservoir was authorized in the Flood Control Acts of 1936 and 1938. The authorization has not been repealed. The committee understands, however, that both Bethlehem Junction and Sugar Hill would not be constructed. Several substitutes for Sugar Hill have been suggested. As stated, the committee has provided for a review of previous reports and from information furnished to the committee it is believed that a suitable substitute or substitutes can be found for the Sugar Hill project. The committee, therefore, has declined to authorize funds for the Sugar Hill Dam and Reservoir. No part of the \$10,000,000 herein authorized and no part of funds previously authorized under the Flood Control Act of 1936 or any other act is available for the construction of the Sugar Hill Reservoir.

It is my understanding that the intention of the Congress as thus stated by the committee will govern the Board of Engineers and will operate to prevent the use of the Sugar Hill site just as positively as would an amendment to the bill.

If I may, I should like to ask the distinguished chairman if he will confirm this statement of the case.

Mr. WHITTINGTON. I think I have answered the gentleman's inquiry, but I read again from the report, House Document No. 724, Seventy-sixth Congress, third session:

This second interim report considers changes in certain figures of the approved general reservoir plan for flood control in the Connecticut River Basin and additional local protective works now found desirable. A final report to be submitted under this and other authorities will cover the Connecticut River as a whole.

If you were to strike out that whole Document No. 724, you strike out the provisions for local protection, and I would say that in view of this being an interim report, in view of our report that there is no authorization for it, Sugar Hill is definitely out of this bill, as the authorization does not provide for Sugar Hill.

Mr. ENGLEBRIGHT. I might say that that was the unanimous opinion of the committee—that it is definitely out of the bill.

Mr. STEARNS of New Hampshire. I am entirely satisfied, and I believe that my constituents will be. I would like to express my appreciation to the able and distinguished chairman of the committee and the members of the committee, and I thank them for the courteous and effective consideration that they have given to the views and wishes of the people of the Ammonoosuc Valley.

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the Committee having resolved itself into one of mutual admiration, I wish to join in the participation of that, although I do not share in any of the benefits of this remarkable bill. I rise, however, to discuss another phase of floods, that might properly be considered by some other committee. It is not strictly under the jurisdiction of this particular committee. We are speaking, however, of national defense, and that the membership of the House might be interested and know and understand a notice recently published and widely circulated in a typical American village in the State of New York, not in my district, circulated without protest. I shall read it to you and then for what it is worth refer it to some committee that might be interested in this particular form of flood that is sweeping over the country:

COMMUNIST RALLY TONIGHT, SATURDAY, APRIL 19, 1941

Special showing of the great Russian Communist moving picture, Mannerheim Line. See the crushing defeat of the Finnish Army by the mighty Communist war machine—just as the greedy bankers and the ignorant American reactionaries will soon be crushed by the Communists of America.

Show your loyalty to our great leader, Joseph Stalin, and the local branch of the Communist Internationale by your presence at the Van Etten Hall tonight.

Come prepared to defend our cause in case of interference by narrow-minded police officials.

I see the majority leader present. I was interested some years ago when he carried on an investigation of these subversive activities. I also remember that the gentleman from New York [Mr.

FISH] was active along the same line. I say to you the time has come when we cannot temporize with this sort of thing, especially when it appears to be a published bill poster such as this, distributed without protest by the community.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. JENKINS of Ohio. I have seen what the gentleman has presented to the House. I think that is the most outstanding piece of anti-Americanism I have ever seen. Somebody ought to be called to task, whoever is responsible for that sort of an article.

Mr. REED of New York. It is in the Record for those who are in authority to act upon those particular matters.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I yield to the gentleman from Texas [Mr. BECKWORTH] such time as he may desire.

Mr. BECKWORTH. Mr. Chairman, as a new member of the Flood Control Committee, I wish to say I have enjoyed the interesting work which has characterized the Flood Control Committee this session of Congress.

The chairman of the Flood Control Committee and the members of the committee with whom I have had the pleasure to serve have worked diligently and patiently to give people throughout our Nation who have flood-control problems the opportunity to present any facts pertinent to the various sectors of our Nation. I wish to say right here in my opinion no chairman of any committee in Congress is more energetic, fair, understanding, and efficient than our own able chairman, the gentleman from Mississippi, Hon. WILL M. WHITTINGTON. The Nation and the Congress are fortunate indeed to have the gentleman from Mississippi [Mr. WHITTINGTON] occupying the post at which he so signally and successfully serves.

Mr. WHITTINGTON. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. KEFAUVER] such time as he may desire.

Mr. KEFAUVER. Mr. Chairman, first I desire to congratulate the Flood Control Committee of the House and its chairman, the Honorable WILL WHITTINGTON, for their very splendid work in the handling of this bill. The gentleman from Mississippi [Mr. WHITTINGTON], as all of us know, has during his many years in Congress taken a particular interest in flood-control matters, and is the Nation's foremost authority on flood-control problems.

The committee has given very close and thorough consideration to all the projects that have been submitted. It has analyzed the reports of the Corps of Engineers, and I am sure that every project included in the authorization bill is meritorious and should receive the support of Congress.

I realize that during these days of great national stress we are primarily concerned with the manufacture of munitions of war and with doing those things necessary for the protection of this country and for the defeat of that ruthless totalitarian force that seeks to destroy the fundamentals of our civilized society.

We should not, however, overlook the great importance of preventing death and destruction to our property caused by the ravages of floods. Furthermore, almost every flood project contained in this authorization bill has a direct bearing to national defense. This is especially true of the Chattanooga-Rossville, Ga., project, which I shall later discuss in more detail.

The mere fact that floods have not occurred in some communities during the past few years is no reason why protective works for those sections should not be authorized and undertaken at this time. The history of flood protection is replete with instances where either through ignorance or deliberate negligence communities have postponed action until overtaken by disaster. Protective works have too often been built after a great flood rather than before it. The result of delay has been a gross cost of double or treble the actual cost of protection, combined with loss of life and property that can never be replaced.

The Flood Control Committee of the House has wisely included in this authorization bill an authorization for the construction of flood-protective works for Chattanooga and Rossville, Ga. The building of these works has been very vigorously recommended by the Corps of Engineers in House Document No. 479, Seventy-sixth Congress, and by the engineers of the Tennessee Valley Authority, which report is contained in House Document No. 91, Seventy-sixth Congress.

Chattanooga is the largest city in the Tennessee River Basin. The city proper, which extends on both sides of the river, has a corporate area of 27.42 square miles, and a population of approximately 150,000. Rossville, Ga., which joins Chattanooga on the south, is located on the headwaters of Chattanooga Creek and has a population of about 5,000. The Tennessee River Basin above Chattanooga has a drainage area of 21,400 square miles, which is an area 10 times the size of the State of Delaware. All of the water from this area flows through the city of Chattanooga. The city is the bottleneck for this drainage district. The flood stage at Chattanooga is 30 feet. During the 64-year period from 1875 to 1938, this stage has been reached or exceeded 71 times. A 57.9-foot flood was suffered by the city in 1867. Since that time there have been frequent floods, the last one being in 1932. If a flood such as the one in 1867 should occur, approximately 8,000 acres of the city would be under water. It is estimated that 50,000 people would be homeless and that property damage would be \$90,000,000. The Corps of Engineers estimates the cost of the project to be \$1 to \$2.27 in proportion to the benefits; that is, for every \$1 invested a return of \$2.27 in protection would be secured. This is a very high proportion, and is much higher than most of the projects included in this bill.

That Chattanooga is awake to its vital need for protection and has sought assistance from the Federal Government in the manner prescribed by Congress was evidenced by the response to a public

hearing held at the call of the War Department and the Department of Agriculture on August 16, 1938. Petitions and briefs were presented by many organizations. Among the signers were the commissioners of the Chattanooga flood-protection district; Mayor Bass, of the city of Chattanooga; Judge Cummings, county judge of Hamilton County; and Mayor Bennett, of the city of Rossville.

Along with the rest of the country, this region has received assistance from the Federal Government in financing the construction of public buildings, sorely needed housing facilities, and other developments. Much private building has been possible because of mortgage loans through the F. H. A. and H. O. L. C. As a result of this, there is a large Federal investment in the community which is secured by public bond issues or by private mortgages; also, the T. V. A. has much property in Chattanooga. Much of this is invested in properties subject to direct damage or total loss due to floods.

It seems unnecessary to set forth at length the value of the Tennessee Valley as a great national asset for war as well as for peace. Due to its natural advantages of topography and location and to the development of its resources, it is bound to play an important part in any comprehensive development of the country for purposes of national defense. This fact is generally recognized. Chattanooga is the principal city of the valley. It is termed properly a crossroads city. Interstate highways and railroads from north and south, east and west intersect there. It is located on air and water routes. Its strategic location and many natural advantages are attested by the fact that it has become a prosperous city in spite of the hazard of flood damage. Its continued development hinges on security against floods.

Attention is called to the fact that on March 15 last this project was endorsed by the National Rivers and Harbors Congress as one of only 18 projects in the entire country found to be "sound, needful, and sufficiently advanced in status" so that it "should be promptly constructed in the public interest."

Since the beginning of the national-defense effort many of the large manufacturing plants in Chattanooga have taken orders and are manufacturing vital defense materials. A recent survey showed that Chattanooga manufacturers, which are in the flood zone, are manufacturing \$90,000,000 of defense materials. Some of the plants are being enlarged so as to increase their capacity. Floods are no respecters of wars. Our national-defense effort would be impaired if floods should cause damage or destruction at Chattanooga during this period. Calamities are bad enough under normal conditions, but floods would have especially grave results under conditions of extraordinary and intensified activity in our industrial and military areas.

I hope that the Members of the House will look with favor upon this greatly worthwhile project.

Mr. WHITTINGTON. Mr. Chairman, I yield to the gentleman from Arkansas [Mr. ELLIS] such time as he may desire.

Mr. ELLIS. Mr. Chairman, the bill carries authorization of \$11,000,000 for power-generating equipment and full flood-control and power authorizations for the \$45,000,000 Bull Shoals and the \$34,000,000 dams, all on the White River.

This is one of the most important bills, so far as Arkansas and southern Missouri are concerned, that has ever come before this House.

These three dams will—

First. Eliminate all of the most disastrous floods of the lower White and contribute to the control of the lower Mississippi.

Second. Produce 450,000 kilowatts of cheap power. In spite of what the gentleman from Missouri [Mr. COCHRAN] says, there is a drastic shortage of power in the area.

Third. Contribute to navigation of the lower White.

Fourth. Return the Ozarks to their former and proper status as the playground of the Mississippi Valley; and in spite of what the gentleman from Missouri [Mr. COCHRAN] says, it will increase, and not decrease, the fishing.

Should the war continue long, the Norfolk power will be a vital aid to the national defense.

What a blessing it would have been to the defense of this Nation if we could have had one or more of these great projects in production at this critical hour. Who knows but that the hours ahead may add to our needs in this crisis.

Mr. WHITTINGTON. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, first I want to express my appreciation to the committee for including in the bill a project for flood control on the upper Missouri from Kansas City to Sioux City, brought about, as it is contended by development of the stream for navigation, the building of revetments, dikes, changing of the course, and causing one and a half million acres to be flooded.

My primary object in asking this time is to object to a provision in the bill on page 21, line 23:

The project adopted by the act of June 22, 1936, to provide protection to the Kansas City, Kans. and Mo., is hereby modified to include cut-offs in the vicinity of Liberty Bend substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 722, Seventy-sixth Congress, third session.

Liberty Bend is about 30 miles east of Kansas City and is a rather sharp bend in the shape of a horseshoe. The town of Liberty in my district is a town of about 4,000 people. It gets its water supply from the banks of the Missouri River. That is, it has some wells in the alluvial soil adjacent to the river. If this bend is cut off it will leave those wells about 3 miles from the channel of the Missouri River. It is the contention of the officials of the town of Liberty that this will lower the water level so that they will have to put in additional pumping equipment.

They also dump their sewage into the river in this bend. It will be necessary

for them to extend their sewage system a very considerable distance.

There is also objection to it from numerous farmers in the community who say if this cut-off is made that the streams now running into the river will be clogged by brush and other things; weeds will grow up in the river bed and cause those streams to overflow, thus causing damage and floods that do not now exist.

Senator TRUMAN, on April 29, obtained approval in the Senate of a resolution to further study this project, that is, the flood-control projects in the Kansas City and area. Liberty Bend is in that area. The Army engineers say that they have no satisfactory data at this time to determine what the effect of this cut-off will be on the water supply and sewage system of Liberty. However, they take the position that there probably will be none, but they definitely refuse to state that there will not be some.

I want to read from a letter from General Schley, dated May 29:

On the basis of the information now available, it appears that the proposed Liberty Bend cut-off will not cause material damage to the water supply or sewage-disposal facilities of the city of Liberty. Further investigation of this subject will, however, be included in a comprehensive study for flood control in the vicinity of the Kansas City which the Department is now making pursuant to several directives from Congress, including the authorization contained in a resolution adopted on April 29, 1941, by the Committee on Commerce of the United States Senate. That resolution requests the Department to review its report on the Missouri River, which is contained in House Document No. 238, Seventy-third Congress, second session, with a view to determine whether any modifications should be made therein at this time with respect to protection of the Kansas City and adjacent areas from floods on the Missouri and Kansas Rivers and on the tributaries entering that river between approximate river-mile 386 and 356. The Liberty Bend is within this portion of the Missouri River. If the investigation made in connection with these authorized surveys show a justification for remedial measures in the vicinity of the water wells and sewer outlets of the city of Liberty, you may be assured that appropriate recommendations will be submitted to Congress in the report of the Department.

I want to ask, when the time comes, to strike this provision out of the bill until the War Department has completed its further studies pursuant to the resolution approved on April 29 in the Senate.

There are a number of other projects in this vicinity that will be affected.

[Here the gavel fell.]

Mr. ENGLEBRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. GUYER].

Mr. GUYER of Kansas. Mr. Chairman, I wish to speak in reference to the matter brought up by the gentleman from Missouri [Mr. DUNCAN]. We all remember in Kansas City, Kans., and Kansas City, Mo., the flood of 1903 that paralyzed the whole commercial life of the two cities. Every packing house, all in Kansas City, Kans., were in water from 4 to 35 feet; every railroad at a standstill. It paralyzed the transportation system that centers there, because Kansas City is within 200 miles of the territorial center of the United States.

It is of vast importance that this Liberty Bend project remain in the bill, because it is one of the necessary links that makes Kansas City secure from floods, and it is so determined by the United States Army engineers, by the engineers of the Highway Commissions of Missouri and Kansas; and all of the interests of Kansas City, Mo., and Kansas City, Kans., are behind it. This is the first time in many years that these two cities have got together, and we do not want to disrupt the harmony in this one common interest.

It is a matter of vast importance to national defense to prevent a return of floods, such as of 1903 and of 1927. And I want to pay my tribute to our chairman, and add my word of commendation to what has already been said. It is a tribute well deserved. I was a member of this committee early in 1927, after the 1927 flood. The gentleman from Mississippi [Mr. WHITTINGTON] has been the most diligent student of this question I have ever known on the committee, and this is what has made him such a splendid chairman. It is another vindication of the seniority system of the House which provides the opportunity for Members to prepare for useful chairmanships.

Mr. DUNCAN. Mr. Chairman, will the gentleman yield for a question?

Mr. GUYER of Kansas. I yield.

Mr. DUNCAN. Is there not some objection to this project as evidenced by Senator TRUMAN's resolution? Senator TRUMAN is a resident of Independence, Kans., which is a part of Kansas City. He introduced a resolution asking for a resurvey.

Mr. GUYER of Kansas. There may be some little disadvantage to Liberty about it; but as Napoleon once said, you cannot have an omelet without breaking some eggs.

Mr. DUNCAN. But why should we suffer any damage?

Mr. GUYER of Kansas. This is a vastly important thing to Kansas City. We cannot afford another disruption of communications from coast to coast as happened in 1903 when people could not get out of Kansas City or could not get in on account of the floods of the Missouri-Kaw Rivers, one of the most acute flood situations in the United States. Had the flood of 1927 occurred 10 years before it would have stopped the whole process of national preparation for the war in 1917, because transportation east and west was paralyzed from Cairo to the Gulf.

I am sure if there is any injustice or disadvantage to the little city of Liberty—a fine little town by the way—the Government will take care of it as it is its duty.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. LEWIS].

Mr. LEWIS. Mr. Chairman, I should be unappreciative if I failed to join in the statements by other Members of the House commending the manner in which the hearings on this bill were conducted by this great committee and by its great chairman. Furthermore, I should be unappreciative indeed if I failed to acknowl-

edge my personal gratitude and the gratitude of the people of Denver, whom I have the honor to represent, for the careful study by the Army engineers and by the Flood Control Committee of our problem and for the inclusion in this bill of the item providing for flood control of Cherry Creek and its tributaries for the protection of Denver, Colo., and adjacent territory.

This stream is of the same character as that one which the gentleman from California [Mr. VOORHIS] has just described as menacing Los Angeles, and Cherry Creek also is a flash stream—a mere trickle at noon, a cloudburst upstream in midafternoon, and an enormous flood at night. When constructed, this project will protect Denver from what is now an ever-imminent danger of a ghastly major tragedy.

The item in this bill (H. R. 4911) authorizing the Cherry Creek project is as follows:

The comprehensive plan for the improvement of Cherry Creek and tributaries, Colorado, for flood control and other purposes in accordance with the recommendations of the Chief of Engineers in House Document No. 426, Seventy-sixth Congress, first session, is approved, and there is hereby authorized \$2,000,000 for the initiation and partial accomplishment of the project.

The statement in the unanimous report by the Committee on Flood Control (Rept. No. 759, 77th Cong., 1st sess, filed June 9, 1941) is as follows:

CHERRY CREEK AND TRIBUTARIES, COLORADO

(H. Doc. No. 426, 76th Cong., 1st sess.)

The possibility of a major flood on Cherry Creek threatens the city of Denver, Colo., with a major catastrophe. Cherry Creek rises in El Paso County, Colo., flows northerly to join the South Platte River in Denver. The topography of Cherry Creek Basin is such as to cause large floods of great intensity which may descend on Denver with little warning. For the lower 5½ miles of its course Cherry Creek flows through industrial and residential sections of the city. The great flows which would result from major floods on Cherry Creek would submerge a large part of the central portion of Denver, including important business districts, railroad yards, industrial establishments, and extensive residential areas. Denver is the most important industrial center between the Missouri River and the Pacific coast, and any disruption of the normal activities of that city would be detrimental to the whole country. The need for flood control on Cherry Creek has been investigated by the Chief of Engineers in accordance with the Flood Control Act of 1937 and a report has been submitted to Congress.

The plan of protection recommended by the Chief of Engineers provides for the construction of two reservoirs on Cherry Creek at the Cherry Creek No. 1 site and at the Castlewood site, both above Denver, at an estimated cost to the United States of \$10,500,000.

Construction of the recommended project would protect Denver against any flood reasonably to be expected and would eliminate practically all further damages from Cherry Creek floods in the agricultural valley above that city. In addition, water for irrigation is to be stored in the Castlewood Reservoir. Unquestionably the benefits of the improvement would greatly exceed its cost. The Flood Control Committee reaffirms its previous recommendation that the plan recommended by the Chief of Engineers should be approved by Congress, and because of the need for the contemplated flood protection at Denver \$3,000,000 should be authorized at

this time to provide for the construction of the Castlewood Reservoir and the completion of the detailed plans and other necessary preliminary work for the Cherry Creek Reservoir No. 1.

On May 14, 1941, I made the following statement before the Flood Control Committee:

STATEMENT OF HON. LAWRENCE LEWIS, REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

FLOOD CONTROL OF CHERRY CREEK FOR THE PROTECTION OF DENVER, COLO., AND ADJACENT TERRITORY TO THE SOUTH

Mr. LEWIS of Colorado. Mr. Chairman and gentlemen of the committee, I wish again to call your attention to the project for flood control of Cherry Creek and tributaries for the protection of Denver, Colo., and adjacent territory to the south. This "flash stream" flows into the South Platte River, which is a tributary of the Missouri River, in the heart of the business district of the city of Denver, which I have the honor to represent. In the last Congress I introduced a bill to authorize this project, which bill was favorably considered by this committee. In this Congress I have introduced a similar bill, H. R. 3641, which has been referred to your committee, and for which I earnestly entreat your favorable consideration.

The Corps of Engineers' report on this project was transmitted to the House of Representatives with letter dated July 14, 1939, addressed to the Speaker of the House of Representatives by the Honorable Harry H. Woodring, Secretary of War.

This report and accompanying papers were, on July 17, 1939, referred to the Committee on Flood Control and are printed as House Document No. 426 of the Seventy-sixth Congress, first session.

Denver, the city that is menaced by floods in Cherry Creek, as stated by the Corps of Engineers in their report (p. 9, H. Doc. No. 426, 76th Cong., 1st sess.)

"Denver is the most important industrial and commercial center between the Missouri River and the Pacific coast. It is the center of a large trade area, being about 600 miles distant from other cities of comparable size. Its scenic beauty attracts thousands of tourists each year, and its altitude, low humidity, and large percentage of cloudless days have made it a health resort of national repute. Educational facilities include the University of Denver, the University of Colorado Medical School, and four other institutions of higher learning.

"Denver's manufacturing industry covers a wide diversification of products, including meat and other food products, clothing, wood, metal, stone, concrete, clay, printing, and many others. Stockyards and railroad shops are important factors of industry."

Including the adjacent suburbs (which, nevertheless, are outside the corporate limits of the municipality known as the city and county of Denver), the population, according to the final figures on the 1940 census, is 384,372. Of these, 322,412 are within the corporate limits.

Denver's "sleeping tiger"

Cherry Creek is a typical western "flash stream." Under ordinary circumstances there is on the surface of the channel only a trickle of water. It looks as if perhaps three or four fire hydrants had been turned into it. But, at any time between the last of April and the first of October, after heavy rains or cloudbursts up the valley to the south, this thread of water may suddenly and without warning change into a raging torrent for a few hours and then return soon to its normal state of quiescence. These floods have caused millions of dollars of property damage in Denver and, although the records are not entirely complete, the loss of nearly 100 lives.

Like all western "flash streams," Cherry Creek is treacherous. Its floods come suddenly and without warning. I have often referred to it as Denver's "sleeping tiger."

Floods in "flash streams," coming without warning, afford no opportunity to make emergency preparations for protection

When floods are threatened on the Ohio, the Mississippi, or the Missouri Rivers, the towns and cities menaced have several days, and on the lower Mississippi, at Memphis or Vicksburg or New Orleans, they have many days—sometimes 2 weeks or even longer—to prepare against the coming flood. Furthermore, these cities on the lower part of the big rivers have fairly reliable advance estimates of approximately how great a flood to expect. But, of floods in Cherry Creek, Denver has no warning—unless someone up the valley telephones that a cloudburst is occurring and that high water is coming. There is no time to make any emergency preparations against a flood, and, even if there were time, no possibility of estimating how great the flood will be. Our only safeguard lies in having constructed in advance permanent works which the best engineering investigations determine will be sufficiently large to protect our city against any flood resulting from any storm which meteorological investigations determine is likely to occur.

No city on Mississippi River between St. Louis and New Orleans is as large and as vulnerable to flood damage as is Denver from Cherry Creek

A glance at the map shows that on the main stem of the Ohio River from Louisville, Ky., down to Cairo, Ill., and on the main stem of the Mississippi from St. Louis to New Orleans, there is no city as great in population or in wealth as Denver—and no city which is as vulnerable to floods from those great rivers as Denver is vulnerable to attack by floods from the comparatively insignificant and harmless appearing Cherry Creek. *The "syllabus" of the Army's report on this project is as follows (p. 5, H. Doc. No. 426, 76th Cong., 1st sess.)*

"Survey of Cherry Creek and tributaries, Colorado.

"Cherry Creek is a small tributary of the South Platte River which joins the South Platte within the city of Denver. Floods have occurred frequently in the past and have caused a considerable amount of damage in the upper valley and a great deal of damage within the city of Denver; the most recent flood, that of 1933, having caused a damage of over \$956,000 to this community. The watershed is within the eastern Colorado cloudburst zone and is immediately adjacent to other similar watersheds which have suffered flood-producing storms of magnitude many times greater than any which have occurred on Cherry Creek. The occurrence of such a storm on Cherry Creek would cause a flood several times larger than that necessary to overtop the existing flood-control dam above the city, and would cause a loss, at the present stage of economic development, estimated at \$40,000,000. Additional flood-control storage in this watershed is absolutely necessary. A feasible irrigation development within this basin has been reported on by the Bureau of Reclamation and should be incorporated in any proposed plan of development. The irrigation development can repay a total cost of not to exceed \$429,500. The most feasible plan for all purposes would involve construction of Castlewood and Cherry Creek No. 1 Reservoirs, which would cost \$1,782,250 and \$6,409,938, respectively. The proposed improvement is recommended for immediate construction as a Federal flood-control project."

The results of the exhaustive hearings, examinations, and surveys conducted by the Army engineers, beginning in November 1937 and carried on continuously until the report

(H. Doc. No. 426) was sent to the Congress on July 14, 1939, are so fully and carefully set forth in the report that it would be superfluous to attempt to review them further in this statement. However, I believe it is pertinent by way of emphasis to quote the paragraphs indicating the extent of the catastrophe to Denver which every year impends, and will continue to impend, until this project is authorized and actually completed.

At set forth at pages 21 and 22 of House Document No. 426, Seventy-sixth Congress, first session, the damages which would be wrought by the flood which may occur any year, and which this project will avert, are summarized by the Army engineers as follows:

"Damages from reservoir-design flood

"The hypothetical flood which may occur on Cherry Creek would have a discharge of 230,000 cubic feet per second at Denver, as determined in paragraph 37. This would be approximately 14 times greater than any previous flood of record at this station, and would produce a height approximately 16 feet higher than that of the maximum flood of record. The flood would arrive with little warning and velocities would be sufficient to prevent rescue work. The effect upon Denver would be that of a first-class catastrophe. A summary of the principal damages which would result from this flood is given in the following paragraphs:

"Denver: The flood would submerge a larger part of the central portions of the city. Important business districts, municipal buildings and parks, railroad yards and station, streetcar barn, bridges, and some of the finest residential and recreational areas would be covered. The property, valued at \$23,000,000 affected by the 1933 flood, would all be covered some 16 feet deeper with silt-laden waters carried at high velocities. An incomplete flood damage field survey showed that damages within the area covered would total \$19,913,200.

"When a flood occurs on Cherry Creek large numbers of people gather to watch it from the bridges and the sidewalks adjacent to the stream, which are higher than large areas lying farther away. Numbers of people would probably also be trapped in the area between Cherry Creek and the South Platte, as there would be a heavy flow over the divide between the two streams. It is quite possible that a loss of several hundred lives might occur.

"It was estimated that damages in areas not covered by the field survey would total about \$6,100,000. Other tangible damages not covered include damages to railroads (except Union Terminal), to the Public Service Co., and to municipal facilities, such as bridges, roads, parks, and sewers.

"Intangible damages include a major interruption to business, probably for a period of years; enormous costs of clean-up; relief and emergency assistance to the homeless; loss of business and municipal records; interruption to rail and tramway service; panic depreciation of property values; flooding of Denver General Hospital and Steele Memorial Hospital; and interruption of city sewer system. Denver is a center of commercial and governmental activity over a wide area, and normal activities of all kinds would be dealt a terrific blow. Furthermore, the city has a record of continuous growth, and damages of such an occurrence will be greater in the future.

"Considering all factors, it is believed that the total of tangible and intangible damage which would be caused by an occurrence of such a flood would probably equal \$40,000,000 at the present time, or an average of \$50,000,000 over the economic life of the structures being considered.

"Damages above Kenwood Dam: A large portion of the community of Parker, with a population of 200, including the business district, would be affected by the reservoir-design

flood, and there would undoubtedly be some loss of life. It is estimated that the direct damage from this flood would amount to \$75,000. The only other town in the basin is Franktown, which is situated so that there would be no damage from the hypothetical flood.

"Damage to rural districts: The area above Kenwood Dam is largely an agricultural district, with the exception of the towns of Parker and Franktown. It is estimated that in this area the damage to farm lands would be \$318,600, in the present stage of development.

"The main highway is susceptible to damage along the valley, as are the numerous local unsurfaced roads which cross the stream by means of small wooden or steel bridges. The hypothetical flood would cause some damage to the roads and would probably destroy all the bridges.

"It is estimated that the damage to highways, bridges, and local roads from a hypothetical flood would amount to \$100,000.

"The occurrence of the hypothetical flood would undoubtedly cause some indirect loss to business by interruption of transportation, communication, and trade, and would also cause some lasting depreciation in real-estate value within the affected zone. The community of Parker would be most severely affected. The indirect losses of this character would probably amount to about 20 percent of the other flood losses, or \$98,720.

"The future damages that would result from the occurrence of the reservoir-design flood, between Kenwood Dam and Castlewood Dam site, are summarized as follows:

Parker	\$75,000
Rural districts	318,600
Highways	100,000
Intangible damages	98,720
Total	592,320"

The district engineer, with headquarters at Omaha, Nebr., Lt. Col. W. M. Hoge, concludes his report as follows (p. 32, H. Doc. No. 426, 76th Cong., 1st sess.):

"It is recommended that the proposed improvement be constructed as a Federal flood-control project."

The division engineer, Col. C. L. Sturdevant, says, in his report to the Chief of Engineers (p. 32, H. Doc. No. 426, 76th Cong., 1st sess.):

"The flood-damage potentialities in the Cherry Creek Valley, especially in the metropolitan Denver area, and the recent experiences with severe floods in that locality, indicate the desirability of early adoption for this project. It is therefore further recommended that this project be considered of early priority in the selection of flood-control projects for construction."

The report of the Board of Engineers for Rivers and Harbors, by Brig. Gen. M. C. Tyler, senior member of the Board (p. 4, H. Doc. No. 426, 76th Cong., 1st sess.), concludes, as follows:

"The Board considers that these improvements are well warranted by benefits that would accrue to the project and recommends construction of the Castlewood Reservoir and Cherry Creek Reservoir No. 1, on Cherry Creek, Colo., at an estimated first cost of \$10,500,000, with \$3,000 annually for maintenance."

Maj. Gen. J. L. Schley, Chief of Engineers, after reviewing previous reports, says, in his letter of transmittal to the Secretary of War (pp. 3 and 4, H. Doc. No. 426, 76th Cong., 1st sess.):

"After due consideration of these reports, I concur in the views of the Board. Cherry Creek Basin lies in an area where storms of cloudburst intensity occur. Studies indicate that floods many times greater than any that have occurred in the past are a definite possibility. Should such a flood occur under existing conditions, the destruction and dam-

age that would occur in Denver and the valley above would be enormous. There is also the possibility of serious loss of life. The two reservoirs proposed by the district engineer, with the existing Kenwood Reservoir, would provide full protection against any flood reasonably to be anticipated, and, in my opinion, their construction is essential if the security of the city of Denver is to be provided.

* * * I recommend construction of the Castlewood Reservoir and Cherry Creek Reservoir No. 1 on Cherry Creek, Colo., at an estimated first cost of \$10,500,000, with \$3,000 annually for maintenance."

It is difficult adequately to express the vital importance of this project, not only to the city of Denver, which comprises my congressional district but also to that part of the Cherry Creek Valley south of the city limits of Denver in the Second Congressional District of Colorado. Until this project is authorized and completely constructed, Denver, every year, between April and October, will be in ever imminent danger of a ghastly major tragedy.

In the last Congress this committee embodied the Cherry Creek project in the omnibus flood-control bill, H. R. 9640. In favorably reporting that bill (Rept. No. 2103, 76th Cong., 3d sess., filed May 7, 1940), this committee made the following statement (at pp. 23-24) concerning this Cherry Creek project:

"CHERRY CREEK AND TRIBUTARIES, COLORADO
 "(H. Doc. No. 426, 76th Cong., 1st sess.)

"Cherry Creek rises in El Paso County, Colo., and flows north to join the South Platte River in the city of Denver. The valley of Cherry Creek for over 20 miles above Denver is a rich farming area and for its lower 5.5 miles Cherry Creek flows through the residential and industrial sections of the city. The need for flood control on Cherry Creek has been investigated by the Chief of Engineers in accordance with the Flood Control Act of 1937, and his report has been transmitted to Congress. This report indicates that the Cherry Creek Valley lies in a cloudburst zone and has suffered damaging floods since its earliest settlement. Major floods of Cherry Creek have caused extensive damages at Denver and the flood of 1933 destroyed the old Castlewood irrigation dam above the city. It has been estimated that the maximum probable flood on Cherry Creek would cause damages in Denver of from forty to fifty million dollars, and might cause large loss of life.

"The plan of protection recommended by the Chief of Engineers provides for construction of two reservoirs on Cherry Creek, at the Cherry Creek No. 1 and Castlewood sites above Denver, at an estimated cost to the United States of \$10,500,000.

"The recommended reservoirs would protect the city of Denver against any flood reasonably to be anticipated and would largely eliminate flood damage in the valley above the city. In addition, it is proposed to reserve water for irrigation in the proposed Castlewood reservoir. The benefits of the improvement would be greatly in excess of its cost. The Flood Control Committee therefore believes that the project merits approval by Congress and that it is of such an urgent nature that \$3,000,000 should be authorized at this time so that the necessary lands can be secured and detailed plans can be initiated as soon as funds are appropriated by Congress."

March 18, 1940, at the hearings during the Seventy-sixth Congress on H. R. 9640, page 11, Maj. Gen. Julian L. Schley, Chief of Engineers, United States Army, made the following statement concerning floods in so-called flash streams in the West and the necessity for flood control of Cherry Creek for the protection of Denver:

General SCHLEY. Those are in the semi-arid sections, where the river channels have very small capacities and where the rains come like cloudbursts. As the cities grow larger and become more important, the destruction by these cloudbursts is very much greater.

The CHAIRMAN (Mr. WHITTINGTON of Mississippi). You have also submitted a report and recommendation for the protection of the city of Denver, Colo., have you not?

General SCHLEY. That is right.

The CHAIRMAN. That is a rather populous area?

General SCHLEY. The possibilities of danger there are very great. It has been simply a matter of great luck that Denver has not had a great catastrophe since it has been a large city. The floods, according to the historic record, have not been anything like as great as they might be.

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS of Arkansas. Mr. Chairman, I want to add to what has been said my appreciation of the fine bill the chairman and members of the Committee on Flood Control have brought before this House. On the east boundary of my district, the lower part of the Mississippi, extends the Wichita and Red Rivers. I know the people of my district will be very happy to receive the benefit afforded by this bill.

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman and fellow Members, I desire to speak just a few words in behalf of the gentleman from Arkansas [Mr. ELLIS] who so ably represents my old district where I was born and reared. The citizens of the various districts throughout the United States who have untiring Representatives on their toes like the gentleman from Arkansas, CLYDE ELLIS, of the Seventh Congressional District of Arkansas are indeed very fortunate.

Around Norfolk and in Baxter County, Ark., where I used to reside, I lost one of my beloved school teachers, one of my classmates, and one of my relatives by reason of floods. Through the efforts of the gentleman from Arkansas, CLYDE ELLIS, his constituents and members of the Committee on Flood Control, the swift waters of the White River, the North Fork, and other deep, cool, clear mountain streams have been harnessed to an advantage.

The rivers and channels of the rivers in Arkansas are deep, while the rivers in my district are usually a mile wide and a foot deep until the floods come and then havoc is wrought for miles. My district, the Seventh Oklahoma District, needs flood control badly, but, unfortunately, Mr. Massingale passed away January 17, 1941, before his plans materialized and before the Army had completed its surveys and reports with respect to our program. I did not take the oath of office until April 14; consequently, during the intervening 3 months our district was without representation. I feel sure, however, that by the next session I will have prevailed upon the Army engineers to the extent that my district will be included in future bills and will ultimately benefit thereby.

Mr. WHITTINGTON. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. SABATH].

The CHAIRMAN. The gentleman from Illinois is recognized for 2 minutes.

Mr. SABATH. Mr. Chairman, I cannot say all that I would like to say. I cannot be thankful, like my colleagues here, for any projects in my district, my city, or in my State. There is nothing in the bill that will benefit my section. However, Chicagoans are always pleased to aid other sections of the country, especially if it is for the best interests of the country.

It is gratifying to me to see so many of my friends on the Republican side as well as my friends on the Democratic side—I am an independent you know—approve this activity and the action of the committee. It merely proves what I have said, that the Democratic Party has acted wisely in legislating in the interest of our country. This legislation I know will be of great benefit.

We have no floods but we need water. We have been trying to get a little water to make the Illinois River navigable. I hope when the time comes we will get a little more water for the channel that cost the city of Chicago \$180,000,000 and to which the Government did not donate a single cent. Whenever we ask for a little relief, however, it is not forthcoming. Notwithstanding that fact, I am here endorsing this bill and hope it will aid all the sections that are included in it.

Mr. Chairman, at this late hour I shall not unduly take up the time of the House except to direct attention to the cooperative spirit and liberality displayed by the Members representing the great Middle West in support of this measure and other legislation that has proven beneficial to other sections of our country. Within recent years the Middle West compared with other sections of the country has shared very little in the large appropriations that have been made. I recall the time when the bills covering appropriations for the construction of the Panama Canal were under consideration that many Midwestern Members realized the very material benefits which would inure to the East with the enactment of the legislation, and they also honestly appreciated that it would prove of benefit to the whole country and I am pleased to state that a large majority of them voted for the appropriation bills. There was serious opposition to the expenditure which was then considered a tremendous sum, but time has proven that the judgment of the midwestern Members was correct and today we have the operation of the Panama Canal which has been of such great benefit to the water transportation of the United States and all the world.

Mr. Chairman, we will shortly have before us a bill that will not only aid Chicago but the country as well—namely, the St. Lawrence waterways bill—and I hope you gentlemen whose districts have benefited by reason of the enactment of some of the large appropriation bills will express some reciprocity in support of legislation to make that great project possible. I feel the St. Lawrence project in years to come will also prove its value

and those farsighted men who have advocated it for many years, who have been subject to frequent criticism will, as time goes on, be generally acclaimed upon their courage and judgment.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by act of Congress.

SEC. 2. That section 3 of the act approved June 22, 1936 (Public, No. 738, 74th Cong.), as amended by section 2 of the act approved June 28, 1938 (Public, No. 761, 75th Cong.), shall apply to all works authorized in this act, except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the third proviso of section 1 of the Flood Control Act approved August 28, 1937 (Public, No. 406, 75th Cong.), and all of section 8 of the Flood Control Act approved August 11, 1939 (Public, No. 396, 76th Cong.), are hereby repealed: *Provided further*, That the authorization for any flood-control project heretofore or herein adopted requiring local co-operation shall expire 5 years from the date of approval of this act unless local interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished: *And provided further*, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations. The Chief of Engineers is also authorized in his discretion to modify the plan for any dam or other work heretofore or hereafter authorized so that such dam or work will be smaller than originally planned with a view to completing a useful improvement within an authorization: *Provided*, That the smaller structure shall be located on the chosen site so that it will be feasible at some future time to enlarge the work in order to permit the full utilization of the site for all purposes of conservation such as flood control, navigation, reclamation, the development of hydroelectric power, and the abatement of pollution.

SEC. 3. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized in the interest of national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That penstocks or other similar facilities adapted to possible future use in the develop-

ment of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission:

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$6,000,000 for local protection works and \$10,000,000 for reservoirs for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the Connecticut River Basin, and such comprehensive plan is hereby modified to include the works recommended by the Chief of Engineers in House Document No. 653, Seventy-sixth Congress, third session, and House Document No. 724, Seventy-sixth Congress, third session, with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

The Secretary of War is authorized to reimburse the city of Hartford, Conn., the sum of \$252,000 heretofore contributed to the United States by said city for the realignment of the South Meadows section of the flood-protection works in accordance with the plans contained in House Document No. 653, Seventy-sixth Congress, third session: *Provided*, That there shall be deducted from the aforementioned sum any reimbursement which may be made to said city pursuant to the provisions of section 1 of the War Department Civil Appropriation Act, 1938, approved July 19, 1937.

THAMES RIVER BASIN

The plan for a system of reservoirs and channel improvements in the Thames River Basin, Conn., R. I., and Mass., in accordance with the recommendation of the Chief of Engineers in House Document No. 885, Seventy-sixth Congress, third session, is approved, and there is hereby authorized \$6,000,000 for initiation and partial accomplishment of the project.

PAWTUCKET RIVER BASIN

The project for local flood protection on the North Branch of Pawtucket River at Clyde, R. I., and for the Pontiac diversion is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 747, Seventy-sixth Congress, third session, at an estimated cost of \$1,320,000.

HUDSON RIVER BASIN

The projects adopted by the act of June 22, 1936, to provide for local flood-protection works in the Hoosic River Basin at North Adams in Massachusetts; at Hoosick Falls, N. Y., and at Bennington, Vt., are hereby modified and extended to include the town of Adams, Mass., in accordance with the recommendation of the Chief of Engineers in House Document No. 182, Seventy-sixth Congress, first session, and are authorized to be constructed substantially in accordance with said recommendation at an estimated cost of \$2,170,000.

LAKE CHAMPLAIN BASIN

The project for local flood protection on the Winoski River at Waterbury, Vt., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 656, Seventy-sixth Congress, third session, at an estimated cost of \$880,000.

The project adopted by the act of June 22, 1936, to provide for local flood-protection works on Otter Creek at Rutland, Vt., is hereby modified in accordance with the recommendation of the Chief of Engineers in Senate Document No. 171, Seventy-sixth Congress, third session, and is authorized to be constructed substantially in accordance with said recommendation at an estimated cost of \$308,000.

OSWEGO RIVER BASIN

The projects for flood control and other purposes at Canandaigua, Keuka, and Owasco Lakes, and at Hammondsport, Watkins Glen, Montour Falls, Ithaca, and Syracuse, N. Y., are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 846, Seventy-sixth Congress, third session, at an estimated cost of \$3,220,000.

SUSQUEHANNA RIVER BASIN

The project adopted by the act of June 22, 1936, to provide for local flood-protection works on the Susquehanna River at Sunbury, Pa., is hereby modified in accordance with the recommendation of the Chief of Engineers in House Document No. 366, Seventy-sixth Congress, first session, and is authorized to be constructed substantially in accordance with said recommendation at an estimated cost of \$1,900,000.

DELAWARE RIVER BASIN

The project for local flood protection on Rancocas Creek in the vicinity of Mount Holly, N. J., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 128, Seventy-seventh Congress, first session, at an estimated cost of \$300,000.

MOBILE RIVER BASIN

The project for local flood protection at Prattville, Ala., on Autauga Creek, a tributary of the Alabama-Coosa River, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 657, Seventy-sixth Congress, third session, at an estimated cost of \$530,000.

The plan for the Allatoona Reservoir on the Etowah River in the Coosa River Basin, Georgia, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document No. 674, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$3,000,000 for initiation and partial accomplishment of the project.

The project for flood control on the Tombigbee River authorized by the act of June 22, 1936, is hereby modified to provide for additional channel improvements and related works for flood control for the Tombigbee River and tributaries above the mouth of and including the Noxubee River in accordance with plans approved by the Chief of Engineers at an estimated cost of \$150,000.

COLORADO RIVER BASIN (TEXAS)

The plan for improvement of the Lower Colorado River, Texas, for flood control in accordance with the recommendation of the Chief of Engineers in House Document No. 312, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$6,500,000 for the construction of the project.

The plan for San Angelo Reservoir for flood control and other purposes on the North Concho River, Tex., and for local flood-protection works at San Angelo, Tex., in accordance with the recommendation of the Chief of Engineers in House Document No. 315, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$2,000,000 for initiation and partial accomplishment of the project.

The plan for Hords Creek Reservoir and for enlargement of the existing Lake Brownwood Reservoir for flood control and other purposes on Pecan Bayou and its tributaries in Texas, in accordance with the recommendation of the Chief of Engineers in House Document No. 370, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$1,400,000 for initiation and partial accomplishment of the project, including \$460,000 for the Hords Creek Reservoir.

The project for local flood protection on Brady Creek at Brady, Tex., is hereby author-

ized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 441, Seventy-sixth Congress, first session, at an estimated cost of \$825,000.

BRAZOS RIVER BASIN

The plan for Whitney Reservoir on the Brazos River in Texas, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document No. 390, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$5,000,000 for the initiation and partial accomplishment of the project.

LOWER MISSISSIPPI RIVER

The project for flood control of the lower Mississippi River adopted by the act of May 15, 1928, as amended by the act of June 15, 1936, as amended by the acts of August 28, 1937, and June 28, 1938, is hereby modified and, as modified, is hereby authorized and adopted, and the Flood Control Act of June 15, 1936, as amended, is amended as follows:

(a) The existing engineering plan for flood control in the alluvial valley of the Mississippi River is hereby modified so as to provide for the construction of plan 4 as set forth in the report of the Mississippi River Commission, dated March 7, 1941, to the Chief of Engineers, except that the levees in the Yazoo Basin on the east bank of the Mississippi River south of the Coahoma-Bolivar County line in said plan shall have a 3-foot freeboard over the project flood, and all levees shall be constructed with adequate section and foundation to conform to increased levee heights. The Boeuf floodway in the project adopted by the act of May 15, 1928, and the Eudora floodway, as well as the northward extension and the back protection levee extending from the head of the said Eudora floodway north to the Arkansas River in the project adopted by the act of June 15, 1936, as amended, are hereby abandoned, and the provisions of said acts relating to the prosecution of work on said floodways and extension are hereby repealed.

(b) The project for flood control of the Yazoo River shall be as authorized by the Flood Control Act approved June 15, 1936, as amended by section 2 of the act approved June 28, 1938, except that the Chief of Engineers may, in his discretion, from time to time, substitute therefor combinations of reservoirs, levees, and channel improvements; and except that the improvements contemplated in plan C of the report of March 7, 1941, of the Mississippi River Commission are authorized, including the extension of the levee on the east bank of the Mississippi River generally along the west bank of the Yazoo River to a connection in the vicinity of Yazoo City with the Yazoo River levee, authorized by the existing project for protection against headwater floods of the Yazoo River system, and the adjustment in the discretion of the Chief of Engineers of the grades of the existing levees in the backwater areas on the east bank of Yazoo River below Yazoo City, all at an estimated additional cost of \$11,982,000: *Provided*, That the Chief of Engineers shall fix the grade of the extension levees along the Yazoo River, with higher levees in his discretion, so that their construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local authorities shall furnish satisfactory assurances that they will (1) maintain the levees in accordance with the provisions of section 3 of the act of May 15, 1928, and will (2) not raise the levees in the backwater above the limiting elevations established therefor by the Chief of Engineers.

(c) The construction of a levee and improvements contemplated in the report of March 7, 1941, of the Mississippi River Commission from the main-line levee on the west

bank of the Mississippi River in the vicinity of Shaw, La., westward and northward to the vicinity of Newlight, La., for the protection of that part of the Red River backwater known as the Tensas-Cocodrie area at an estimated cost of \$6,976,000 is hereby authorized: *Provided*, That the Chief of Engineers shall fix the grade of said levee, with a higher levee in the discretion, so that its construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local authorities shall furnish satisfactory assurances that they will (1) maintain the levee in accordance with the provisions of section 3 of the act of May 15, 1928, and will (2) not raise the said levee about the limiting elevations established therefor by the Chief of Engineers.

(d) The Chief of Engineers, with approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to be reasonable, for providing at the request of the United States, in accordance with local legal procedure or custom, rights-of-way and flowage easements required for future set-backs of main-line Mississippi River levees.

(e) The existing engineering plan for flood control of the St. Francis River is hereby modified so as to permit the substitution for the suspended portions of the original project below Oak Donnick, Ark., of the construction of a ditch in Cross County, Ark., beginning in the vicinity of the outlet end of the existing Oak Donnick to St. Francis Bay floodway and terminating in St. Francis Bay about 2 miles north of Riverfront, including the construction of a highway bridge at State Highway No. 42 made necessary by the ditch construction: *Provided*, That local interests give assurances satisfactory to the Secretary of War that they will (1) provide without cost to the United States all lands easements, and rights-of-way necessary for the construction; (2) hold and save the United States free from damages due to the construction works; and (3) maintain the works after completion in accordance with regulations prescribed by the Secretary of War.

(f) The total authorizations heretofore made for the flood-control project of the alluvial valley of the Mississippi River shall not be increased by reason of any provision in this act, except for the additional amounts necessary for the Yazoo and Red River backwater improvements, and any appropriations heretofore or hereafter made or authorized for said project as herein or heretofore modified may be expended upon any feature of the said project, notwithstanding any restrictions, limitations, or requirements of existing law: *Provided*, That funds hereafter expended for maintenance shall not be considered as reducing present remaining balances of authorizations.

The project for flood control on the Homochitto River in Mississippi, authorized by the act of June 22, 1936 (Public, No. 738, 74th Cong.), and modified by the act of June 28, 1938 (Public, No. 761, 75th Cong.), is hereby further modified to provide for additional channel improvements and related works for flood control on the Homochitto River and tributaries in accordance with plans approved by the Chief of Engineers, and for the execution of these plans there is hereby authorized \$50,000.

RED-OUACHITA RIVER BASIN

The project for local flood protection on the Ouachita River near Callon, Ark., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 427, Seventy-sixth Congress, first session, at an estimated cost of \$50,000.

The project for local protection on the Red River in Grant Parish below Colfax, La., authorized by the act approved June 28, 1938, is hereby amended to add and authorize the

following: Levee enlargement, new levee extension, and the construction of appurtenant drainage structures on the left bank of the Red River opposite Alexandria for the protection of Pineville, La., and vicinity, at an estimated cost to the United States of \$159,100, subject to the provisions of section 3 of the act approved June 22, 1936.

The project for local flood protection on the Red River in Grant Parish below Colfax, La., authorized by the act approved June 28, 1938, is hereby further amended to include and to authorize the following: Levees and appurtenant drainage works on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette, and the separation of the channels of Bayous Darrow and Rigolette in the Aloha-Rigolette area, Grant and Rapides Parish, La., all at an estimated cost to the United States of \$914,500, subject to the provisions of section 3 of the Flood Control Act approved June 22, 1936.

The plan for the Narrows Reservoir for flood control and other purposes on the Little Missouri River, Ark., and for local flood protection on the main river below Murfreesboro and on the Terre Noire and Ozan Creeks, substantially in accordance with recommendation of the Chief of Engineers in House Document No. 837, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$3,000,000 for initiation and partial accomplishment of the project.

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$24,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the White River Basin in Missouri and Arkansas, including the projects for flood control and other purposes recommended by the Chief of Engineers in House Document No. 917, Seventy-sixth Congress, third session, and the modifications in the Norfolk Reservoir project recommended by the Chief of Engineers.

The projects for local flood protection on the White River, on the east side between Augusta and Clarendon, Ark., and at the town of De Valls Bluff, Ark., are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 98, Seventy-sixth Congress, first session, at an estimated cost of \$2,847,500.

ARKANSAS RIVER BASIN

The general comprehensive plan for flood control and other purposes, approved by the act of June 28, 1938, for the Arkansas River Basin is hereby modified to include the reservoirs in the Grand (Neosho) River Basin in Oklahoma and Missouri and in the Verdigris River Basin in Kansas, in accordance with the recommendations of the Chief of Engineers in House Documents Nos. 107 and 440 of the Seventy-sixth Congress, first session. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$29,000,000 for the prosecution of said comprehensive plan.

The project for local flood protection on the Salt Fork of the Arkansas River in the vicinity of Cherokee, Okla., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 480, Seventy-sixth Congress, second session, at an estimated cost of \$800,000.

The project for local flood protection along the south bank of the Arkansas River between Little Rock and Pine Bluff, Ark., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 718, Seventy-sixth Congress, third session, at an estimated cost of \$641,000, with such modifications as may be advisable in the discretion of the Secretary of War and the Chief of Engineers.

The project for local flood protection along the north bank of the Arkansas River in the Crawford County Levee District, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 720, Seventy-sixth Congress, third session, at an estimated cost of \$284,000.

The project for local flood protection on both sides of the Arkansas River in the immediate vicinity of Tulsa and West Tulsa, Okla., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 157, Seventy-seventh Congress, first session, at an estimated cost of \$513,000.

OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$45,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the Ohio River Basin, modified to include the Allegheny Reservoir project in accordance with the recommendation of the Chief of Engineers in House Document No. 300, Seventy-sixth Congress, first session.

TENNESSEE RIVER BASIN

The projects for local flood protection on the Tennessee River at Chattanooga, Tenn., and Rossville, Ga., are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 479 Seventy-sixth Congress, second session, at an estimated cost of \$13,500,000.

UPPER MISSISSIPPI RIVER BASIN

The project adopted by the act of June 22, 1936, for the Dry Run Reservoir near Decorah, Iowa, is hereby modified to authorize the Chief of Engineers to modify the project so as to provide protection by diversion of floodwaters in accordance with revised plans now on file in his office, at an estimated Federal cost of \$460,000.

SEBEWAING RIVER

The project for local flood protection on the Sebewaing River in the vicinity of Sebewaing, Mich., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 286, Seventy-sixth Congress, first session, at an estimated cost of \$250,000.

MISSOURI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$7,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the Missouri River Basin, including the project for the Harlan County Reservoir on the Republican River, Nebr., recommended by the Chief of Engineers in House Document No. 842, Seventy-sixth Congress, third session, and such other supplemental flood-control works on the Republican River as the Secretary of War and the Chief of Engineers may find advisable.

The comprehensive plan for the improvement of Cherry Creek and tributaries, Colorado, for flood control and other purposes in accordance with the recommendations of the Chief of Engineers in House Document No. 426, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$3,000,000 for the initiation and partial accomplishment of the project.

The project for local flood protection on the Platte River in the vicinity of Schuyler, Nebr., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 250, Seventy-sixth Congress, first session, at an estimated cost of \$53,000.

The project for local flood protection on the Missouri River and Indian Creek at Council Bluffs, Iowa, is hereby authorized to be constructed substantially in accordance

with the recommendation of the Chief of Engineers in House Document No. 577, Seventy-sixth Congress, third session, at an estimated cost of \$18,000.

The project for the improvement of Fall River and tributaries, South Dakota, for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 655, Seventy-sixth Congress, third session, at an estimated cost of \$1,050,000.

The project for flood protection in the vicinity of Sioux City, Iowa, and along both banks of the Missouri River between Sioux City and Kansas City for flood control in accordance with the recommendation of the Chief of Engineers in House Document No. 821, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$1,000,000 for the initiation and partial accomplishment thereof.

The project adopted by the act of June 22, 1936, to provide flood protection of the Kansas City, Kans. and Mo., is hereby modified to include cut-offs in the vicinity of Liberty Bend substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 722, Seventy-sixth Congress, third session.

SANTA ANA RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$2,500,000 for the prosecution of the projects approved in the acts of June 22, 1936, and June 28, 1938, for flood control in the Santa Ana River Basin and for the protection of Orange County in California.

LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA CREEK

The general comprehensive plan for flood control and other purposes in the basins of the Los Angeles and San Gabriel Rivers and Ballona Creek as set forth in House Document No. 838, Seventy-sixth Congress, third session, is approved, and in addition to previous authorizations there is hereby authorized \$25,000,000 for the partial accomplishment of that plan.

SACRAMENTO-SAN JOAQUIN RIVER BASIN

The projects for the control of floods and other purposes in the Sacramento River, Calif. adopted by the acts approved March 1, 1917, May 15, 1928, and August 26, 1937, are hereby modified substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 205, Seventy-seventh Congress, first session, at an estimated cost of \$10,500,000, and also modified to provide for channel clearing, rectification, snagging, and bank protection on the Sacramento River and tributaries in Tehama County, and from Red Bluff southerly, at an additional estimated cost of \$150,000.

The project for the Fresno County stream group for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 845, Seventy-sixth Congress, third session, at an estimated cost of \$510,000.

UMPQUA RIVER BASIN

The project for improvement of the Umpqua River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 684, Seventy-sixth Congress, third session, at an estimated cost of \$176,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$11,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the Willamette River Basin in Oregon.

The project for improvement of the Pudding River in Oregon for flood control is here-

by authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document No. 185, Seventy-sixth Congress, third session, at an estimated cost of \$62,000.

COLUMBIA RIVER BASIN

The project for local flood protection on the Touchet River at Dayton, Wash., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 662, Seventy-sixth Congress, third session, at an estimated cost of \$146,000.

The project for levees, channel enlargement, and channel rectification on Walla Walla River in the vicinity of Milton and Freewater, Oreg., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 719, Seventy-sixth Congress, third session, and the project for the protection of the city of Walla Walla, Wash., authorized by the act approved June 28, 1938, is hereby modified in accordance with the recommendations of the Chief of Engineers, in House Document No. 719, Seventy-sixth Congress, third session, at an estimated cost of \$754,000.

The project for levees on the Cowlitz River, Washington, for local flood protection at Castle Rock, Washington, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 721, Seventy-sixth Congress, third session, at an estimated cost of \$31,000.

SEC. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control, including floods aggravated by or due to tidal effect at the following named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds of such localities; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as hereby authorized on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law or by resolution of the Committee on Flood Control of the House of Representatives or the Committee on Commerce of the Senate: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway mentioned in this act until the project for the proposed work shall have been adopted by law:

Byram River and tributaries, Connecticut.
Blind Brook and tributaries, New York.
Mamaroneck and Sheldrake Rivers and their tributaries, New York.

Bronx River and tributaries, New York.
Hutchinson River and tributaries, New York.

Saw Mill River and tributaries, New York.
Garden Creek, Mathews County, Va.

Indian River, Upper St. Johns River and Marsh, and North Fork, St. Lucie River, and their tributaries, Florida.

Rio Grande and tributaries, New Mexico.
Mimbres River and tributaries, New Mexico.

Pearl River, Miss.

Lake Pontchartrain, Louisiana, from the Orleans-Jefferson Parish line westward and northward to the vicinity of Frenier.

Black River, Catahoula and Concordia Parishes, La.

Dog and Clear Creeks, tributaries of the Arkansas River, Oklahoma.

Salt Creek of the Arkansas River and tributaries, Osage County, Oklahoma.

Red River of the North Drainage Basin, Minnesota, South Dakota, and North Dakota.

Inlets and outlets to Lake Hendricks, South Dakota and Minnesota.

North Fork and South Fork of the Shoshone River and their tributaries, Wyoming.

Emery River and tributaries, Tennessee.

Redstone Creek and tributaries, Pennsylvania.

West Fork River and tributaries, West Virginia, with a view to determining the advisability of constructing a system of multiple-use reservoirs.

Milwaukee River and tributaries, Wisconsin.

Little Black River and tributaries, Michigan.

Sturgeon and Otter Rivers, and their tributaries, Michigan.

Cuyahoga River and tributaries, Ohio.

Tig Sur River and Carmel River, and their tributaries, Monterey County, Calif.

Laguna Canyon, Calif.

All streams in San Diego County, California, flowing into the Pacific Ocean.

Coyote River and tributaries, California.

San Francisquito Creek, San Mateo and Santa Clara Counties, California.

Alhambra Creek and tributaries, California.

Matadero Creek, Santa Clara County, California.

Petaluma Creek and tributaries, Sonoma County, California.

Guadalupe River and tributaries, California.

Silvies River and tributaries, Oregon.

Columbia River and tributaries, Washington, from the downstream point of Vancouver Lake to upstream point of Bachelor Island.

Salmon Creek, in the vicinity of Juneau, Alaska.

Yaguez, Estero, Portuguese, Bucana, Lapa, Guamaní, Chico, Maunabo, Quebrada Arena, and Susua Rivers, and tributaries, Puerto Rico.

Crecue Gut and Fair Plain Gut and their tributaries, Island of Saint Croix, and of Turpentine Run, and Crown Mountain water courses and their tributaries, Island of Saint Thomas, V. I.

SEC. 5. That the Secretary of War is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed \$1,000,000 for any one fiscal year to be expended in rescue work or in the repair or maintenance of any flood-control work threatened or destroyed by flood.

SEC. 6. That the provisions of the following acts of Congress relating to river and harbor improvements are hereby made applicable to works of flood control heretofore or hereafter authorized: August 8, 1917, section 9 (40 Stat. 267); July 18, 1918, sections 5 and 6 (40 Stat. 911); and August 30, 1935, section 7 (49 Stat. 1048).

SEC. 7. Section 5 of the act approved June 28, 1938 (52 Stat. 1215), is amended by striking out the words "in carrying out the purposes of this act" and inserting in lieu thereof the words "in carrying out the purposes of the act of June 22, 1936 (49 Stat. 1570), as amended and supplemented"; and by adding at the end of said section the following sentence: "The provisions of this section shall be applicable to any funds heretofore appropriated for the prosecution by the Secretary of Agriculture of works of improvement for measures of run-off and water-flow retardation and soil-erosion prevention upon watersheds."

SEC. 8. That the sum of \$260,000,000 is hereby authorized to be appropriated for carrying out the improvements herein, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examinations and surveys provided for in this act and any

other acts of Congress, to be prosecuted by said Departments, and the additional sum of \$5,000,000 is authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938. All appropriations necessary for operation and maintenance of flood-control works authorized by law to be operated and maintained by the United States are hereby authorized.

Mr. WHITTINGTON (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, that the bill be considered as read and printed in the RECORD, and that amendments to any section of the bill may be in order.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON: On page 27, in line 12, strike out the word "creek" and insert the words "and Dunlap Creeks."

On page 27, between lines 16 and 17, insert "Little Calumet River and tributaries, Indiana."

On page 27, after line 25, insert a new line as follows: "All streams in San Diego and Imperial Counties, Calif., flowing into the Salton Sea."

On page 28, between lines 5 and 6, insert "Novato Creek and its tributaries, Marin County, Calif."

Mr. WHITTINGTON. Mr. Chairman, this contains three preliminary surveys according to a bill introduced by the gentleman from California [Mr. IZAC], the gentleman from California [Mr. LEAL], and the gentleman from Indiana [Mr. SCHULTE], which the Chief of Engineers approves. This includes all of the surveys which have been requested of the committee and this is a committee amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Mississippi [Mr. WHITTINGTON].

The committee amendment was agreed to.

Mr. DUNCAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DUNCAN: Page 21, strike out all of lines 23 and 24 and lines 1, 2, 3, and 4 on page 22.

Mr. DUNCAN. Mr. Chairman, all of you were here when I discussed this amendment a moment ago. Since that time the gentleman from Kansas [Mr. GUYER] has discussed the flood situation there. It so happens that my district joins Kansas City on the north. It is true that there was a flood there 37 or 38 years ago, but since that time there have been worse floods on the upper Missouri than there have been at Kansas City.

The area to which I refer in this amendment lies more than 20 miles east of Kansas City. I understand the only reason for including it in the project with respect to the Kansas City is that it will cheapen the work. If this project is carried out, it will be necessary to remove a

bridge across the Missouri River. There will have to be another built.

The channel will be moved approximately 3 miles, and the Missouri River bridge now across that river is in the middle of the top of this bend. It will have to be taken out and removed to the new channel. It is estimated by the engineer of the town of Liberty that it will cost them \$100,000 to change their water system and their sewage system if this project is carried out. I have no objection in the world to it if they will compensate the people of that community for the damage they do to them.

It has been my experience when the War Department starts carrying out these projects, they do not pay any attention to the people along the banks. They do not compensate the people for the actual damage. They carry out the project in accordance with the act of Congress. So, if they move the river, there will be a dispute as to whether or not the town is damaged.

A study is being made by the War Department, and I did not assume, in view of the correspondence between myself and General Schley, dated May 29, which I read to you a moment ago, that this project would be included. It is under study again, in accordance with Senator Truman's resolution adopted on April 29. As I said, in view of that fact, I did not assume it would be included in the bill. I am asking that it be taken out until that study has been completed. They may come back here with some other type of recommendation which will relieve that community of this burden.

There is another situation a little farther to the west that is causing considerable dispute in respect to this particular project. I believe it is known as the Blue Valley project.

The Blue River runs into the Missouri River there and the flood problems are of considerable importance. They are asking for an investigation of that. It all enters into this one project, and I doubt very much that this Congress is going to appropriate any great sums of money at this session of Congress, in view of the enormous demands for money from other sources.

When you see the tax bill that comes in to you next week you will be a little more careful about your votes on appropriations than you have been in the past, and I doubt that you will vote on any projects that are absolutely not essential when you see the provisions of that tax bill and how it hits the people of this country.

I am simply asking in fairness to the people of this community, 20 miles away from Kansas City, that it be left out until the War Department has completed its further study to see what can be done for the protection of people who are away from Kansas City. We sympathize with them. As I say, I represent the district adjoining Kansas City, and part of my district suffers some of this flood. But I do not believe the people down there ought to pay the difference, and I understand it is a considerable amount, in the cost of taking care of the flood-control situation in Kansas City without this project being included. It can be done.

It is simply a little bit easier and maybe a little cheaper if this cut-off is made. It is fair by the people who know the Missouri River, and we who live on it do know it. It is one of the worst rivers in the country. It cuts and slices and takes away farms overnight. The streams that are running into it and come into this bank will be filled up as the old channel from which the river is taken fills up. It will grow up with willows, and every time the river comes up there will be a foot or two of silt put in there. Then these streams that are running into it will begin to spread out over the land through which they are now running. Certainly the War Department is not going to take care of those farmers who suffer flood damage after the channel has been put in. There is no way of getting them to do it. So I am just asking for plain, ordinary justice for these people in this small community.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, the Committee on Flood Control would not want to do any area any injustice. This item was included in the bill, first, because it was favorably reported by the Chief of Engineers. It was included in the bill, secondly, because it was advocated by the municipal officials of the city of Kansas City, Mo., and other citizens representing the public, and thirdly, because there was no real opposition before the committee.

In an effort to be as fair as it could be, the committee after this item had been included understood that some thought that there might be some danger to Blue Valley, to Liberty Bend, to the sanitary sewage, and to wells. The Chief of Engineers and his staff were recalled before the committee and his representative stated that this project would really be of benefit to the Blue Valley, substantially that, and that it would not injure the sanitary system in the vicinity of Liberty in any way.

I can appreciate how the gentleman feels. This is an amendment, not a new law. It is an amendment of existing law. One of the first projects authorized by Congress was at Kansas City, Mo. That project was authorized on June 22, 1936. The Chief of Engineers, because of the difficulty in obtaining rights-of-way, found that they could go down below the city of Kansas City, Mo., and Kansas City, Kans., and construct this cut-off down there and save the Government, on this one project alone, \$100,000, and the Government would pay for the construction of the bridge.

I would say in deference to the gentleman from Missouri that no material opposition was uttered before our committee with respect to this project. I would also say, in view of his statement, which I understand to be absolutely correct, that a Member of the Senate has asked the Committee on Commerce to

pass a resolution, and the resolution has been passed, and that in all fairness, although this project is recommended by the Chief of Engineers, it is an amendment of existing law.

I believe the gentleman can rest well assured that the project will not be constructed until the Chief of Engineers has complied with the resolution of the Committee on Commerce, which has been authorized and passed. If that committee is convinced that there is any injustice to the local water supply or the sanitary system or the land in that bend down there, the project will not be constructed, and there will be an opportunity to amend it later on.

I would say that in view of the fact that the local people out there, not at Liberty Bend but in Kansas City, came here before the committee and said it was necessary to protect airfields and national-defense projects, and since this statement was supplemented by the statement of the Chief of Engineers that this project is worthy and will save the Government at least \$100,000, as far as the House of Representatives is concerned, the gentleman's amendment should be voted down. If it should appear when this bill goes to the Senate that this provision should be eliminated on further study, that body will have the privilege of so doing.

Mr. DUNCAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Missouri.

Mr. DUNCAN. Was the information from the War Department before them, this letter of May 29?

Mr. WHITTINGTON. I did not know anything about a letter of May 29 before today. The Chief of Engineers advised us that he was making a study, just as he stated in the letter of said date he wrote the gentleman, of the Missouri Basin, including the Blue Valley and including this area around Liberty, and that report would be submitted to the Congress just as soon as it could be completed. In view of that statement and that this is an authorization, and, as the gentleman stated, because we are engaged in a national-defense program, we are not making an immediate appropriation and there will be ample time before the Congress is called upon to make the appropriation for Congress to consider a modification of this project if it develops that it will do any injustice.

Mr. DUNCAN. It is already in the bill now. It is an authorization. If the appropriation is made, it will still be in it.

Mr. WHITTINGTON. Certainly. I repeat, this is an authorization bill. The appropriation has to be made. But I maintain that inasmuch as there was no real opposition before the Committee on Flood Control the provision should not be changed now.

Mr. DUNCAN. May I, in fairness, ask the gentleman this question: In view of the letter from General Schley on May 29 stating that the matter was under study and that further investigation was being made, did not the people interested have the right to assume that it would not be included until the War Department had completed that study?

Mr. WHITTINGTON. I shall answer the gentleman by saying that the hearings before the Committee on Flood Control had been completed and the committee had agreed to report the bill. The hearings were being printed. That letter is nothing more nor less than the information we had.

I trust the gentleman's amendment will not be agreed to. If it is desired to eliminate that provision, it can be eliminated in another body.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. DUNCAN].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, pursuant to House Resolution 234, he reported the same back to the House with an amendment adopted in Committee.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STILL FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate, by Mr. Baldrige, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 193. Joint resolution making appropriations for work relief and relief for the fiscal year ending June 30, 1942.

The message also announced that the Senate insists upon its amendments to the foregoing joint resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. NYE, and Mr. LODGE to be the conferees on the part of the Senate.

COMMODITY CREDIT CORPORATION

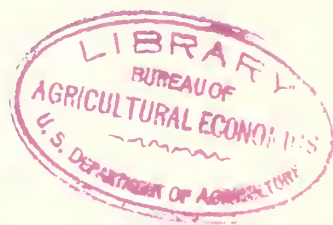
Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 244), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4972, a bill to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Civil

Page 3

77TH CONGRESS
1ST SESSION

H. R. 4911



IN THE SENATE OF THE UNITED STATES

JUNE 23, 1941

Referred to the Committee on Commerce under authority of the order of the
Senate of June 23, 1941

AN ACT

Authorizing the construction of certain public works on rivers and
harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That hereafter Federal investigations and improvements of
4 rivers and other waterways for flood control and allied pur-
5 poses shall be under the jurisdiction of and shall be prose-
6 cuted by the War Department under the direction of the
7 Secretary of War and supervision of the Chief of Engineers,
8 and Federal investigations of watersheds and measures for
9 run-off and waterflow retardation and soil-erosion prevention
10 on watersheds shall be under the jurisdiction of and shall be
11 prosecuted by the Department of Agriculture under the

1 direction of the Secretary of Agriculture, except as other-
2 wise provided by Act of Congress.

3 SEC. 2. That section 3 of the Act approved June 22,
4 1936 (Public, Numbered 738, Seventy-fourth Congress),
5 as amended by section 2 of the Act approved June 28, 1938
6 (Public, Numbered 761, Seventy-fifth Congress), shall apply
7 to all works authorized in this Act, except that for any
8 channel improvement or channel rectification project provi-
9 sions (a), (b), and (c) of section 3 of said Act of June
10 22, 1936, shall apply thereto, and except as otherwise
11 provided by law: *Provided*, That the third proviso of section
12 1 of the Flood Control Act approved August 28, 1937
13 (Public, Numbered 406, 75th Congress) and all of section
14 8 of the Flood Control Act approved August 11, 1939,
15 (Public, Numbered 396, 76th Congress) are hereby re-
16 pealed: *Provided further*, That the authorization for any
17 flood-control project heretofore or herein adopted requiring
18 local cooperation shall expire five years from the date of
19 approval of this Act unless local interests shall within
20 said time furnish assurances satisfactory to the Secretary of
21 War that the required cooperation will be furnished: *And*
22 *provided further*, That in any case where the total authoriza-
23 tion for a project heretofore or hereafter authorized by Con-
24 gress is not sufficient to complete plans that may have been
25 made the Chief of Engineers is authorized in his discretion to

1 plan and make expenditures on preparations for the project,
2 such as the purchase of lands, easements, and rights-of-way;
3 readjustments of roads, railroads, and other utilities; removal
4 of towns, cemeteries, and dwellings from reservoir sites; and
5 the construction of foundations. The Chief of Engineers is
6 also authorized in his discretion to modify the plan for any
7 dam or other work heretofore or hereafter authorized so that
8 such dam or work will be smaller than originally planned
9 with a view to completing a useful improvement within an
10 authorization: *Provided*, That the smaller structure shall be
11 located on the chosen site so that it will be feasible at some
12 future time to enlarge the work in order to permit the full
13 utilization of the site for all purposes of conservation such as
14 flood control, navigation, reclamation, the development of
15 hydroelectric power, and the abatement of pollution.

16 SEC. 3. That the following works of improvement for
17 the benefit of navigation and the control of destructive flood-
18 waters and other purposes are hereby adopted and author-
19 ized in the interest of national security and the stabilization
20 of employment, and shall be prosecuted as speedily as may
21 be consistent with budgetary requirements, under the direc-
22 tion of the Secretary of War and the supervision of the Chief
23 of Engineers in accordance with the plans in the respective
24 reports hereinafter designated and subject to the conditions
25 set forth therein: *Provided*, That penstocks or other similar

1 facilities adapted to possible future use in the development
2 of hydroelectric power shall be installed in any dam herein
3 authorized when approved by the Secretary of War upon
4 the recommendation of the Chief of Engineers and of the
5 Federal Power Commission:

6 CONNECTICUT RIVER BASIN

7 In addition to previous authorizations, there is hereby
8 authorized to be appropriated the sum of \$6,000,000 for
9 local protection works and \$10,000,000 for reservoirs for the
10 prosecution of the comprehensive plan approved in the Act
11 of June 28, 1938, for the Connecticut River Basin, and such
12 comprehensive plan is hereby modified to include the works
13 recommended by the Chief of Engineers in House Document
14 Numbered 653, Seventy-sixth Congress, third session, and
15 House Document Numbered 724, Seventy-sixth Congress,
16 third session, with such further modifications as may be found
17 justifiable in the discretion of the Secretary of War and the
18 Chief of Engineers.

19 The Secretary of War is authorized to reimburse the
20 city of Hartford, Connecticut, the sum of \$252,000 hereto-
21 fore contributed to the United States by said city for the
22 realignment of the South Meadows section of the flood-
23 protection works in accordance with the plans contained
24 in House Document Numbered 653, Seventy-sixth Congress,
25 third session: *Provided*, That there shall be deducted from

1 the aforementioned sum any reimbursement which may be
2 made to said city pursuant to the provisions of section 1 of
3 the War Department Civil Appropriation Act, 1938,
4 approved July 19, 1937.

5 THAMES RIVER BASIN

6 The plan for a system of reservoirs and channel im-
7 provements in the Thames River Basin, Connecticut, Rhode
8 Island, and Massachusetts, in accordance with the recommen-
9 dation of the Chief of Engineers in House Document Num-
10 bered 885, Seventy-sixth Congress, third session, is ap-
11 proved, and there is hereby authorized \$6,000,000 for
12 initiation and partial accomplishment of the project.

13 PAWTUXET RIVER BASIN

14 The project for local flood protection on the North
15 Branch of Pawtuxet River at Clyde, Rhode Island, and for
16 the Pontiac diversion is hereby authorized to be constructed
17 substantially in accordance with the recommendation of the
18 Chief of Engineers in House Document Numbered 747,
19 Seventy-sixth Congress, third session, at an estimated cost
20 of \$1,320,000.

21 HUDSON RIVER BASIN

22 The projects adopted by the Act of June 22, 1936, to
23 provide for local flood-protection works in the Hoosic River
24 Basin at North Adams in Massachusetts; at Hoosick Falls,
25 New York, and at Bennington, Vermont, are hereby modi-

1 fied and extended to include the town of Adams, Massa-
2 chusetts, in accordance with the recommendation of the Chief
3 of Engineers in House Document Numbered 182, Seventy-
4 sixth Congress, first session, and are authorized to be con-
5 structed substantially in accordance with said recommenda-
6 tion at an estimated cost of \$2,170,000.

7 LAKE CHAMPLAIN BASIN

8 The project for local flood protection on the Winooski
9 River at Waterbury, Vermont, is hereby authorized to be
10 constructed substantially in accordance with the recommenda-
11 tion of the Chief of Engineers in House Document Num-
12 bered 656, Seventy-sixth Congress, third session, at an
13 estimated cost of \$880,000.

14 The project adopted by the Act of June 22, 1936, to
15 provide for local flood-protection works on Otter Creek at
16 Rutland, Vermont, is hereby modified in accordance with the
17 recommendation of the Chief of Engineers in Senate Docu-
18 ment Numbered 171, Seventy-sixth Congress, third session,
19 and is authorized to be constructed substantially in accord-
20 ance with said recommendation at an estimated cost of
21 \$308,000.

22 OSWEGO RIVER BASIN

23 The projects for flood control and other purposes at
24 Canandaigua, Keuka, and Owasco Lakes, and at Hammonds-
25 port, Watkins Glen, Montour Falls, Ithaca, and Syracuse,

1 New York, are hereby authorized to be constructed substan-
2 tially in accordance with the recommendation of the Chief
3 of Engineers in House Document Numbered 846, Seventy-
4 sixth Congress, third session, at an estimated cost of
5 \$3,220,000.

6 SUSQUEHANNA RIVER BASIN

7 The project adopted by the Act of June 22, 1936,
8 to provide for local flood-protection works on the Susque-
9 hanna River at Sunbury, Pennsylvania, is hereby modified
10 in accordance with the recommendation of the Chief of
11 Engineers in House Document Numbered 366, Seventy-
12 sixth Congress, first session, and is authorized to be con-
13 structed substantially in accordance with said recommenda-
14 tion at an estimated cost of \$1,900,000.

15 DELAWARE RIVER BASIN

16 The project for local flood protection on Rancocas Creek
17 in the vicinity of Mount Holly, New Jersey, is hereby au-
18 thorized to be constructed substantially in accordance with
19 the recommendation of the Chief of Engineers in House
20 Document Numbered 128, Seventy-seventh Congress, first
21 session, at an estimated cost of \$300,000.

22 MOBILE RIVER BASIN

23 The project for local flood protection at Prattville,
24 Alabama, on Autauga Creek, a tributary of the Alabama-
25 Coosa River, is hereby authorized to be constructed sub-

1 stantially in accordance with the recommendation of the
2 Chief of Engineers in House Document Numbered 657,
3 Seventy-sixth Congress, third session, at an estimated cost
4 of \$530,000.

5 The plan for the Allatoona Reservoir on the Etowah
6 River in the Coosa River Basin, Georgia, for flood control
7 and other purposes in accordance with the recommendation
8 of the Chief of Engineers in House Document Numbered
9 674, Seventy-sixth Congress, third session, is approved and
10 there is hereby authorized \$3,000,000 for initiation and
11 partial accomplishment of the project.

12 The project for flood control on the Tombigbee River
13 authorized by the Act of June 22, 1936, is hereby modified
14 to provide for additional channel improvements and related
15 works for flood control for the Tombigbee River and tribu-
16 taries above the mouth of and including the Noxubee River
17 in accordance with plans approved by the Chief of Engineers
18 at an estimated cost of \$150,000.

19 COLORADO RIVER BASIN (TEXAS)

20 The plan for improvement of the Lower Colorado River,
21 Texas, for flood control in accordance with the recommenda-
22 tion of the Chief of Engineers in House Document Numbered
23 312, Seventy-sixth Congress, first session, is approved and
24 there is hereby authorized \$6,500,000 for the construction
25 of the project.

1 The plan for San Angelo Reservoir for flood control and
2 other purposes on the North Concho River, Texas, and for
3 local flood-protection works at San Angelo, Texas, in ac-
4 cordance with the recommendation of the Chief of Engi-
5 neers in House Document Numbered 315, Seventy-sixth
6 Congress, first session, is approved and there is hereby au-
7 thorized \$2,000,000 for initiation and partial accomplish-
8 ment of the project.

9 The plan for Hords Creek Reservoir and for enlarge-
10 ment of the existing Lake Brownwood Reservoir for flood
11 control and other purposes on Pecan Bayou and its tribu-
12 taries in Texas, in accordance with the recommendation of
13 the Chief of Engineers in House Document Numbered 370,
14 Seventy-sixth Congress, first session, is approved and there
15 is hereby authorized \$1,400,000 for initiation and partial
16 accomplishment of the project, including \$460,000 for the
17 Hords Creek Reservoir.

18 The project for local flood protection on Brady Creek at
19 Brady, Texas, is hereby authorized to be constructed sub-
20 stantially in accordance with the recommendation of the Chief
21 of Engineers in House Document Numbered 441, Seventy-
22 sixth Congress, first session, at an estimated cost of \$825,000.

23

BRAZOS RIVER BASIN

24 The plan for Whitney Reservoir on the Brazos River
25 in Texas, for flood control and other purposes in accordance

1 with the recommendation of the Chief of Engineers in House
2 Document Numbered 390, Seventy-sixth Congress, first
3 session, is approved and there is hereby authorized \$5,000,-
4 000 for the initiation and partial accomplishment of the
5 project.

6 LOWER MISSISSIPPI RIVER

7 The project for flood control of the Lower Mississippi
8 River adopted by the Act of May 15, 1928, as amended by
9 the Act of June 15, 1936, as amended by the Acts of
10 August 28, 1937, and June 28, 1938, is hereby modified
11 and, as modified, is hereby authorized and adopted, and
12 the Flood Control Act of June 15, 1936, as amended, is
13 amended as follows:

14 (a) The existing engineering plan for flood control in
15 the alluvial valley of the Mississippi River is hereby modified
16 so as to provide for the construction of plan 4 as set forth
17 in the report of the Mississippi River Commission, dated
18 March 7, 1941, to the Chief of Engineers, except that the
19 levees in the Yazoo Basin on the east bank of the Mississippi
20 River south of the Coahoma-Bolivar County line in said
21 plan shall have a three-foot freeboard over the project flood,
22 and all levees shall be constructed with adequate section and
23 foundation to conform to increased levee heights. The Boeuf
24 Floodway in the project adopted by the Act of May 15,
25 1928, and the Eudora Floodway as well as the Northward

1 Extension and the back protection levee extending from the
2 head of the said Eudora Floodway north to the Arkansas
3 River in the project adopted by the Act of June 15, 1936,
4 as amended, are hereby abandoned, and the provisions of
5 said Acts relating to the prosecution of work on said flood-
6 ways and extension are hereby repealed.

7 (b) The project for flood control of the Yazoo River
8 shall be as authorized by the Flood Control Act approved
9 June 15, 1936, as amended by section 2 of the Act ap-
10 proved June 28, 1938, except that the Chief of Engineers
11 may, in his discretion, from time to time, substitute therefor
12 combinations of reservoirs, levees, and channel improve-
13 ments; and except that the improvements contemplated in
14 plan C of the report of March 7, 1941, of the Mississippi
15 River Commission are authorized, including the extension of
16 the levee on the east bank of the Mississippi River generally
17 along the west bank of the Yazoo River to a connection in
18 the vicinity of Yazoo City with the Yazoo River levee,
19 authorized by the existing project for protection against
20 headwater floods of the Yazoo River system, and the adjust-
21 ment in the discretion of the Chief of Engineers of the grades
22 of the existing levees in the backwater area on the east
23 bank of Yazoo River below Yazoo City, all at an estimated
24 additional cost of \$11,982,000: *Provided*, That the Chief
25 of Engineers shall fix the grade of the extension levees along

1 the Yazoo River, with higher levees in his discretion, so
2 that their construction will give the maximum practical
3 protection without jeopardizing the safety and integrity of
4 the main Mississippi River levees: *And provided further,*
5 That prior to the beginning of construction local authorities
6 shall furnish satisfactory assurances that they will (1) main-
7 tain the levees in accordance with the provisions of section 3
8 of the Act of May 15, 1928, and will (2) not raise the
9 levees in the backwater above the limiting elevations estab-
10 lished therefor by the Chief of Engineers.

11 (c) The construction of a levee and improvements con-
12 templated in the report of March 7, 1941, of the Mississippi
13 River Commission from the main-line levee on the west bank
14 of the Mississippi River in the vicinity of Shaw, Louisiana,
15 westward and northward to the vicinity of Newlight,
16 Louisiana, for the protection of that part of the Red River
17 backwater known as the Tensas-Cocodrie area at an esti-
18 mated cost of \$6,976,000 is hereby authorized: *Provided,*
19 That the Chief of Engineers shall fix the grade of said
20 levee, with a higher levee in his discretion, so that its con-
21 struction will give the maximum practical protection without
22 jeopardizing the safety and integrity of the main Mississippi
23 River levees: *And provided further,* That prior to the begin-
24 ning of construction local authorities shall furnish satisfactory
25 assurances that they will (1) maintain the levee in accord-

1 ance with the provisions of section 3 of the Act of May 15,
2 1928, and will (2) not raise the said levee above the limiting
3 elevations established therefor by the Chief of Engineers.

4 (d) The Chief of Engineers, with approval of the Sec-
5 retary of War, shall reimburse local authorities for actual
6 expenditures found by the Chief of Engineers to be reason-
7 able, for providing at the request of the United States, in
8 accordance with local legal procedure or custom, rights-of-
9 way and flowage easements required for future setbacks of
10 main-line Mississippi River levees.

11 (e) The existing engineering plan for flood control of
12 the Saint Francis River is hereby modified so as to permit
13 the substitution for the suspended portions of the original
14 project below Oak Donnick, Arkansas, of the construction
15 of a ditch in Cross County, Arkansas, beginning in the vicin-
16 ity of the outlet end of the existing Oak Donnick to Saint
17 Francis Bay floodway and terminating in Saint Francis Bay
18 about two miles north of Riverfront, including the construc-
19 tion of a highway bridge at State Highway Numbered 42
20 made necessary by the ditch construction: *Provided*, That
21 local interests give assurances satisfactory to the Secretary
22 of War that they will (1) provide without cost to the United
23 States all lands, easements, and rights-of-way necessary for
24 the construction; (2) hold and save the United States free
25 from damages due to the construction works; and (3) main-

1 tain the works after completion in accordance with regula-
2 tions prescribed by the Secretary of War.

3 (f) The total authorizations heretofore made for the
4 flood control project of the alluvial valley of the Mississippi-
5 River shall not be increased by reason of any provision in
6 this Act, except for the additional amounts necessary for the
7 Yazoo and Red River backwater improvements, and any
8 appropriations heretofore or hereafter made or authorized for
9 said project as herein or heretofore modified may be ex-
10 pended upon any feature of the said project, notwithstanding
11 any restrictions, limitations, or requirements of existing law:
12 *Provided*, That funds hereafter expended for maintenance
13 shall not be considered as reducing present remaining bal-
14 ances of authorizations.

15 The project for flood control on the Homochitto River
16 in Mississippi, authorized by the Act of June 22, 1936
17 (Public, Numbered 738, Seventy-fourth Congress), and
18 modified by the Act of June 28, 1938 (Public, Numbered
19 761, Seventy-fifth Congress), is hereby further modified to
20 provide for additional channel improvements and related
21 works for flood control on the Homochitto River and tribu-
22 taries in accordance with plans approved by the Chief of
23 Engineers, and for the execution of these plans there is hereby
24 authorized \$50,000.

RED-OUACHITA RIVER BASIN

The project for local flood protection on the Ouachita River near Calion, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 427, Seventy-sixth Congress, first session, at an estimated cost of \$50,000.

The project for local protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby amended to add and authorize the following: Levee enlargement, new levee extension, and the construction of appurtenant drainage structures on the left bank of the Red River opposite Alexandria for the protection of Pineville, Louisiana, and vicinity, at an estimated cost to the United States of \$159,100, subject to the provisions of section 3 of the Act approved June 22, 1936.

The project for local flood protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby further amended to include and to authorize the following: Levees and appurtenant drainage works on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette, and the separation of

1 the channels of Bayous Darrow and Rigolette in the Aloha-
2 Rigolette area, Grant and Rapides Parish, Louisiana, all at
3 an estimated cost to the United States of \$914,500, subject
4 to the provisions of section 3 of the Flood Control Act -
5 approved June 22, 1936.

6 The plan for the Narrows Reservoir for flood control
7 and other purposes on the Little Missouri River, Arkansas,
8 and for local flood protection on the main river below Mur-
9 freesboro and on the Terre Noire and Ozan Creeks, sub-
10 stantially in accordance with recommendation of the Chief
11 of Engineers in House Document Numbered 837, Seventy-
12 sixth Congress, third session, is approved and there is hereby
13 authorized \$3,000,000 for initiation and partial accomplish-
14 ment of the project.

15 WHITE RIVER BASIN

16 In addition to previous authorizations, there is hereby
17 authorized to be appropriated the sum of \$24,000,000 for
18 the prosecution of the comprehensive plan approved in the
19 Act of June 28, 1938, for the White River Basin in Missouri
20 and Arkansas, including the projects for flood control and
21 other purposes recommended by the Chief of Engineers in
22 House Document Numbered 917, Seventy-sixth Congress,
23 third session, and the modifications in the Norfolk Reservoir
24 project recommended by the Chief of Engineers.

25 The projects for local flood protection on the White

1 River, on the east side between Augusta and Clarendon,
2 Arkansas, and at the town of De Valls Bluff, Arkansas, are
3 hereby authorized to be constructed substantially in accord-
4 ance with the recommendation of the Chief of Engineers in
5 House Document Numbered 98, Seventy-sixth Congress,
6 first session, at an estimated cost of \$2,847,500.

7 ARKANSAS RIVER BASIN

8 The general comprehensive plan for flood control and
9 other purposes, approved by the Act of June 28, 1938, for
10 the Arkansas River Basin, is hereby modified to include the
11 reservoirs in the Grand (Neosho) River Basin in Oklahoma
12 and Missouri, and in the Verdigris River Basin in Kansas,
13 in accordance with the recommendations of the Chief of
14 Engineers in House Documents Numbered 107 and 440 of
15 the Seventy-sixth Congress, first session. In addition to
16 previous authorizations, there is hereby authorized to be
17 appropriated the sum of \$29,000,000 for the prosecution of
18 said comprehensive plan.

19 The project for local flood protection on the Salt Fork
20 of the Arkansas River in the vicinity of Cherokee, Oklahoma,
21 is hereby authorized to be constructed substantially in ac-
22 cordance with the recommendation of the Chief of Engineers
23 in House Document Numbered 480, Seventy-sixth Congress,
24 second session, at an estimated cost of \$800,000.

25 The project for local flood protection along the south

1 bank of the Arkansas River between Little Rock and Pine
2 Bluff, Arkansas, is hereby authorized to be constructed sub-
3 stantially in accordance with the recommendation of the
4 Chief of Engineers in House Document Numbered 718,
5 Seventy-sixth Congress, third session, at an estimated cost
6 of \$641,000, with such modifications as may be advisable
7 in the discretion of the Secretary of War and the Chief of
8 Engineers.

9 The project for local flood protection along the north
10 bank of the Arkansas River in the Crawford County Levee
11 District, Arkansas, is hereby authorized to be constructed
12 substantially in accordance with the recommendation of the
13 Chief of Engineers in House Document Numbered 720,
14 Seventy-sixth Congress, third session, at an estimated cost
15 of \$284,000.

16 The project for local flood protection on both sides of
17 the Arkansas River in the immediate vicinity of Tulsa and
18 West Tulsa, Oklahoma, is hereby authorized to be con-
19 structed substantially in accordance with the recommendation
20 of the Chief of Engineers in House Document Numbered
21 157, Seventy-seventh Congress, first session, at an estimated
22 cost of \$513,000.

23

OHIO RIVER BASIN

24 In addition to previous authorizations, there is hereby
25 authorized to be appropriated the sum of \$45,000,000 for

1 the prosecution of the comprehensive plan approved in the
2 Act of June 28, 1938, for the Ohio River Basin, modified to
3 include the Allegheny Reservoir project in accordance with
4 the recommendation of the Chief of Engineers in House
5 Document Numbered 300, Seventy-sixth Congress, first
6 session.

7 TENNESSEE RIVER BASIN

8 The projects for local flood protection on the Tennessee
9 River at Chattanooga, Tennessee, and Rossville, Georgia, are
10 hereby authorized to be constructed substantially in accord-
11 ance with the recommendation of the Chief of Engineers
12 in House Document Numbered 479, Seventy-sixth Congress,
13 second session, at an estimated cost of \$13,500,000.

14 UPPER MISSISSIPPI RIVER BASIN

15 The project adopted by the Act of June 22, 1936, for
16 the Dry Run Reservoir near Decorah, Iowa, is hereby modi-
17 fied to authorize the Chief of Engineers to modify the project
18 so as to provide protection by diversion of floodwaters in
19 accordance with revised plans now on file in his office, at
20 an estimated Federal cost of \$460,000.

21 SEBEWAING RIVER

22 The project for local flood protection on the Sebewaing
23 River in the vicinity of Sebewaing, Michigan, is hereby
24 authorized to be constructed substantially in accordance with
25 the recommendation of the Chief of Engineers in House

1 Document Numbered 286, Seventy-sixth Congress, first ses-
2 sion, at an estimated cost of \$250,000.

3 MISSOURI RIVER BASIN

4 In addition to previous authorizations, there is hereby
5 authorized to be appropriated the sum of \$7,000,000 for the
6 prosecution of the comprehensive plan approved in the Act
7 of June 28, 1938, for the Missouri River Basin, including
8 the project for the Harlan County Reservoir on the Repub-
9 lican River, Nebraska, recommended by the Chief of En-
10 gineers in House Document Numbered 842, Seventy-sixth
11 Congress, third session, and such other supplemental flood-
12 control works on the Republican River as the Secretary of
13 War and the Chief of Engineers may find advisable.

14 The comprehensive plan for the improvement of Cherry
15 Creek and tributaries, Colorado, for flood control and other
16 purposes in accordance with the recommendations of the
17 Chief of Engineers in House Document Numbered 426,
18 Seventy-sixth Congress, first session, is approved and there
19 is hereby authorized \$3,000,000 for the initiation and partial
20 accomplishment of the project.

21 The project for local flood protection on the Platte River
22 in the vicinity of Schuyler, Nebraska, is hereby authorized
23 to be constructed substantially in accordance with the recom-
24 mendation of the Chief of Engineers in House Document

1 Numbered 250, Seventy-sixth Congress, first session, at an
2 estimated cost of \$63,000.

3 The project for local flood protection on the Missouri
4 River and Indian Creek at Council Bluffs, Iowa, is hereby
5 authorized to be constructed substantially in accordance with
6 the recommendation of the Chief of Engineers in House
7 Document Numbered 577, Seventy-sixth Congress, third
8 session, at an estimated cost of \$18,000.

9 The project for the improvement of Fall River and
10 tributaries, South Dakota, for flood control is hereby author-
11 ized to be constructed substantially in accordance with the
12 recommendation of the Chief of Engineers in House Docu-
13 ment Numbered 655, Seventy-sixth Congress, third session,
14 at an estimated cost of \$1,050,000.

15 The project for flood protection in the vicinity of Sioux
16 City, Iowa, and along both banks of the Missouri River be-
17 tween Sioux City and Kansas City for flood control in ac-
18 cordance with the recommendation of the Chief of Engineers
19 in House Document Numbered 821, Seventy-sixth Congress,
20 third session, is approved and there is hereby authorized
21 \$1,000,000 for the initiation and partial accomplishment
22 thereof.

23 The project adopted by the Act of June 22, 1936, to
24 provide flood protection of the Kansas Citys, Kansas and

1 Missouri, is hereby modified to include cut-offs in the vicinity
2 of Liberty Bend substantially in accordance with the recom-
3 mendation of the Chief of Engineers in House Document
4 Numbered 722, Seventy-sixth Congress, third session.

5 SANTA ANA RIVER BASIN

6 In addition to previous authorizations, there is hereby
7 authorized to be appropriated the sum of \$2,500,000 for
8 the prosecution of the projects approved in the Acts of June
9 22, 1936, and June 28, 1938, for flood control in the Santa
10 Ana River Basin and for the protection of Orange County in
11 California.

12 LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA
13 CREEK

14 The general comprehensive plan for flood control and
15 other purposes in the basins of the Los Angeles and San
16 Gabriel Rivers and Ballona Creek as set forth in House
17 Document Numbered 838, Seventy-sixth Congress, third
18 session, is approved, and in addition to previous authoriza-
19 tions there is hereby authorized \$25,000,000 for the partial
20 accomplishment of that plan.

21 SACRAMENTO-SAN JOAQUIN RIVER BASIN

22 The projects for the control of floods and other pur-
23 poses in the Sacramento River, California, adopted by the
24 Acts approved March 1, 1917, May 15, 1928, and August
25 26, 1937, are hereby modified substantially in accordance

1 with the recommendation of the Chief of Engineers in House
2 Document Numbered 205, Seventy-seventh Congress, first
3 session, at an estimated cost of \$10,500,000, and also modi-
4 fied to provide for channel clearing, rectification, snagging,
5 and bank protection on the Sacramento River and tribu-
6 taries in Tehama County, and from Red Bluff southerly,
7 at an additional estimated cost of \$150,000.

8 The project for the Fresno County Stream Group for
9 flood control is hereby authorized to be constructed sub-
10 stantially in accordance with the recommendations of the
11 Chief of Engineers in House Document Numbered 845,
12 Seventy-sixth Congress, third session, at an estimated cost
13 of \$510,000.

14 UMPQUA RIVER BASIN

15 The project for improvement of the Umpqua River in
16 Oregon for flood control is hereby authorized to be con-
17 structed substantially in accordance with the recommenda-
18 tion of the Chief of Engineers in House Document Numbered
19 684, Seventy-sixth Congress, third session, at an estimated
20 cost of \$176,000.

21 WILLAMETTE RIVER BASIN

22 In addition to previous authorizations, there is hereby
23 authorized to be appropriated the sum of \$11,000,000 for
24 the prosecution of the comprehensive plan approved in the

1 Act of June 28, 1938, for the Willamette River Basin in
2 Oregon.

3 The project for improvement of the Pudding River in
4 Oregon for flood control is hereby authorized to be con-
5 structed substantially in accordance with the recommenda-
6 tion of the Chief of Engineers in Senate Document Num-
7 bered 185, Seventy-sixth Congress, third session, at an
8 estimated cost of \$62,000.

9 COLUMBIA RIVER BASIN

10 The project for local flood protection on the Touchet
11 River at Dayton, Washington, is hereby authorized to be
12 constructed substantially in accordance with the recom-
13 mendation of the Chief of Engineers in House Document
14 Numbered 662, Seventy-sixth Congress, third session, at an
15 estimated cost of \$146,000.

16 The project for levees, channel enlargement, and channel
17 rectification on Walla Walla River in the vicinity of Milton
18 and Freewater, Oregon, is hereby authorized to be constructed
19 substantially in accordance with the recommendation of the
20 Chief of Engineers in House Document Numbered 719,
21 Seventy-sixth Congress, third session, and the project for the
22 protection of the city of Walla Walla, Washington, author-
23 ized by the Act approved June 28, 1938, is hereby modified
24 in accordance with the recommendations of the Chief of

1 Engineers, in House Document Numbered 719, Seventy-
2 sixth Congress, third session, at an estimated cost of \$754,000.

3 The project for levees on the Cowlitz River, Washing-
4 ton, for local flood protection at Castle Rock, Washington, is
5 hereby authorized to be constructed substantially in accord-
6 ance with the recommendation of the Chief of Engineers in
7 House Document Numbered 721, Seventy-sixth Congress,
8 third session, at an estimated cost of \$31,000.

9 SEC. 4. The Secretary of War is hereby authorized and
10 directed to cause preliminary examinations and surveys for
11 flood control, including floods aggravated by or due to tidal
12 effect at the following-named localities, and the Secretary of
13 Agriculture is authorized and directed to cause preliminary
14 examinations and surveys for run-off and water-flow retarda-
15 tion and soil-erosion prevention on the watersheds of such
16 localities; the cost thereof to be paid from appropriations
17 heretofore or hereafter made for such purposes: *Provided*,
18 That no preliminary examination, survey, project, or esti-
19 mate for new works other than those designated in this or
20 some prior Act or joint resolution shall be made: *Provided*
21 *further*, That after the regular or formal reports made as
22 hereby authorized on any examination, survey, project, or
23 work under way or proposed are submitted to Congress, no
24 supplemental or additional report or estimate shall be made

1 unless authorized by law or by resolution of the Committee
 2 on Flood Control of the House of Representatives or the
 3 Committee on Commerce of the Senate: *And provided*
 4 *further*, That the Government shall not be deemed to have
 5 entered upon any project for the improvement of any water-
 6 way mentioned in this Act until the project for the proposed
 7 work shall have been adopted by law:

8 Byram River and tributaries, Connecticut.

9 Blind Brook and tributaries, New York.

10 Mamaroneck and Sheldrake Rivers and their tributaries,
 11 New York.

12 Bronx River and tributaries, New York.

13 Hutchinson River and tributaries, New York.

14 Saw Mill River and tributaries, New York.

15 Garden Creek, Mathews County, Virginia.

16 Indian River, Upper Saint Johns River and Marsh, and
 17 North Fork, Saint Lucie River, and their tributaries, Florida.

18 Rio Grande and tributaries, New Mexico.

19 Mimbres River and tributaries, New Mexico.

20 Pearl River, Mississippi.

21 Lake Pontchartrain, Louisiana, from the Orleans-Jeffer-
 22 son Parish line westward and northward to the vicinity of
 23 Frenier.

24 Black River, Catahoula and Concordia Parishes, Louisi-
 25 ana.

1 Dogy and Clear Creeks, tributaries of the Arkansas
2 River, Oklahoma.

3 Salt Creek of the Arkansas River and tributaries, Osage
4 County, Oklahoma.

5 Red River of the North Drainage Basin, Minnesota,
6 South Dakota, and North Dakota.

7 Inlets and outlets to Lake Hendricks, South Dakota and
8 Minnesota.

9 North Fork and South Fork of the Shoshone River and
10 their tributaries, Wyoming.

11 Emery River and tributaries, Tennessee.

12 Redstone and Dunlap Creeks and tributaries, Penn-
13 sylvania.

14 West Fork River and tributaries, West Virginia, with a
15 view to determining the advisability of constructing a system
16 of multiple-use reservoirs.

17 Milwaukee River and tributaries, Wisconsin.

18 Little Calumet River and tributaries, Indiana.

19 Little Black River and tributaries, Michigan.

20 Sturgeon and Otter Rivers, and their tributaries, Mich-
21 igan.

22 Cuyahoga River and tributaries, Ohio.

23 Big Sur River and Carmel River, and their tributaries,
24 Monterey County, California.

25 Laguna Canyon, California.

- 1 All streams in San Diego County, California, flowing
2 into the Pacific Ocean.
- 3 All streams in San Diego and Imperial Counties, Cali-
4 fornia, flowing into the Salton Sea.
- 5 Coyote River and tributaries, California.
- 6 San Francisquito Creek, San Mateo and Santa Clara
7 Counties, California.
- 8 Alhambra Creek and tributaries, California.
- 9 Matadero Creek, Santa Clara County, California.
- 10 Novato Creek and its tributaries, Marin County, Cali-
11 fornia.
- 12 Petaluma Creek and tributaries, Sonoma County, Cali-
13 fornia.
- 14 Guadalupe River and tributaries, California.
- 15 Silvies River and tributaries, Oregon.
- 16 Columbia River and tributaries, Washington, from the
17 downstream point of Vancouver Lake to upstream point of
18 Bachelor Island.
- 19 Salmon Creek, in the vicinity of Juneau, Alaska.
- 20 Yaguez, Estero, Portuguese, Bucana, Lapa, Guamani,
21 Chico, Maunabo, Quebrada Arena, and Susua Rivers, and
22 tributaries, Puerto Rico.
- 23 Creque Gut and Fair Plain Gut and their tributaries,
24 Island of Saint Croix, and of Turpentine Run, and Crown

1 Mountain water courses and their tributaries, Island of Saint
2 Thomas, Virgin Islands.

3 SEC. 5. That the Secretary of War is hereby authorized
4 to allot, from any appropriations heretofore or hereafter made
5 for flood control, not to exceed \$1,000,000 for any one fiscal
6 year to be expended in rescue work or in the repair or main-
7 tenance of any flood-control work threatened or destroyed
8 by flood.

9 SEC. 6. That the provisions of the following Acts of
10 Congress relating to river and harbor improvements are
11 hereby made applicable to works of flood control heretofore
12 or hereafter authorized: August 8, 1917, section 9 (40 Stat.
13 267) ; July 18, 1918, sections 5 and 6 (40 Stat. 911) ; and
14 August 30, 1935, section 7 (49 Stat. 1048) .

15 SEC. 7. Section 5 of the Act approved June 28, 1938
16 (52 Stat. 1215) , is amended by striking out the words "in
17 carrying out the purposes of this Act" and inserting in lieu
18 thereof the words "in carrying out the purposes of the Act
19 of June 22, 1936 (49 Stat. 1570) , as amended and supple-
20 mented"; and by adding at the end of said section the follow-
21 ing sentence: "The provisions of this section shall be
22 applicable to any funds heretofore appropriated for the
23 prosecution by the Secretary of Agriculture of works of im-
24 provement for measures of run-off and waterflow retardation
25 and soil-erosion prevention upon watersheds."

1 SEC. 8. That the sum of \$260,000,000 is hereby author-
2 ized to be appropriated for carrying out the improvements
3 herein, the sum of \$10,000,000 additional is authorized to
4 be appropriated and expended in equal amounts by the
5 Departments of War and Agriculture for carrying out any
6 examinations and surveys provided for in this Act and any
7 other Acts of Congress, to be prosecuted by said departments,
8 and the additional sum of \$5,000,000 is authorized to be
9 appropriated for expenditure by the Department of Agricul-
10 ture in carrying on works of improvement of the character
11 specified in section 7 of the Flood Control Act of June 28,
12 1938. All appropriations necessary for operation and main-
13 tenance of flood-control works authorized by law to be oper-
14 ated and maintained by the United States are hereby author-
15 ized.

Passed the House of Representatives June 20, 1941.

Attest:

SOUTH TRIMBLE,

Clerk.

AN ACT

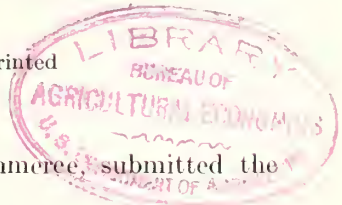
Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

JUNE 23, 1941

Referred to the Committee on Commerce

AUTHORIZING THE CONSTRUCTION OF CERTAIN
PUBLIC WORKS ON RIVERS AND HARBORS FOR FLOOD
CONTROL

JULY 24, 1941.—Ordered to be printed

Mr. OVERTON, from the Committee on Commerce, submitted the
following

REPORT

[To accompany H. R. 4911]

The Committee on Commerce, to whom was referred the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, having considered the same, report thereon with amendments, with the recommendation that the bill do pass, as amended. The amendments are as follows:

(1) On page 2, beginning on line 18, after the word "date", strike out the words "of approval of this Act unless local" and insert the following:

on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said.

(2) On page 7, after line 14, insert the following:

The project for flood control in the Susquehanna River in southern New York and eastern Pennsylvania adopted by the Act of June 22, 1936, is hereby modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River, Pa., for flood control and other purposes in accordance with plans now in the Office of the Chief of Engineers at an estimated cost to the United States of \$2,420,000.

(3) On page 7, after line 21, insert the following:

NEUSE RIVER BASIN

The project for local flood protection on the Neuse River in the vicinity of Goldsboro, N. C., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered —, Seventy-seventh Congress, first session, at an estimated cost of \$40,000.

- (4) On page 8, after line 18, insert the following:

BAYOU TECHE AND VERMILION RIVER

The project for the improvement of Bayou Teche and the Vermilion River, Louisiana, is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report of June 23, 1941, at an estimated cost of \$1,390,000.

MERMENTAU RIVER BASIN

The project for the improvement of the Mermentau River in Louisiana for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 19, 1941, at an estimated cost of \$970,000.

- (5) On page 11, line 13, after the word "the", strike out the word "improvements" and insert the following: "extension of the authorized project and improvements".

- (6) On page 12, line 11, after the letter "c" in parentheses, strike out the word "The" and insert the following: "In the development of the authorized project, the".

- (7) On page 13, line 3, after the word "Engineers", strike out the period, insert a colon, and add the following:

Provided further, That subject to the foregoing conditions of local cooperation the Chief of Engineers may in his discretion substitute other levees and appurtenant works for, or make such modifications of, the levees and improvements herein authorized for the protection of the Tensas-Cocodrie area as may be found after further investigation to afford protection to a larger area in the Red River backwater at a total cost not to exceed \$14,000,000 and without jeopardizing the safety and integrity of the main Mississippi River levees and without jeopardizing the diversion contemplated in the adopted project through the Atchafalaya Basin.

- (8) On page 14, after line 2, insert the following:

(f) In the development of the authorized project, the construction of improvements for Bayous Rapides, Boeuf, and Cocodrie, Louisiana, contemplated in the report dated March 24, 1941, of the Special Board of Officers, at an estimated cost of \$2,600,000, is hereby authorized.

- (9) On page 14, line 3, strike out the letter "f" in parentheses and insert the letter "g" in parentheses.

- (10) On page 14, after line 14, insert the following:

(h) Any officer of the Corps of Engineers who has served or shall serve four years as President of the Mississippi River Commission and who has been or shall subsequently be retired, shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general.

- (11) On page 16, after line 15, insert the following:

The project for the Bayou Bodcau Reservoir, Louisiana, authorized by the Act of June 22, 1936, as modified by the Acts of June 28, 1938, and June 28, 1939, is hereby further modified to include and to authorize channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou at an estimated cost of \$198,000, subject to the provisions of section 3 of the Flood Control Act approved June 22, 1936.

- (12) On page 16, line 24, after the word "Engineers," strike out the period and add the following: "in House Document Numbered 290, Seventy-seventh Congress, first session."

- (13) On page 19, after line 6, insert the following:

The project for local flood protection on the Licking River at Salyersville, Kentucky, is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 261, Seventy-seventh Congress, first session, at an estimated cost of \$174,000.

(14) On page 21, line 22, before the period insert a colon and the following:

Provided, That such project is hereby modified by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

(15) On page 21, strike out all of lines 23 and 24, and on page 22, strike out all of lines 1 through 4, inclusive.

(16) On page 23, after line 20, insert the following:

YAUQUINA RIVER BASIN

The project for local flood protection on the Yaquina River in the Mill Four District, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 304, Seventy-seventh Congress, first session, at an estimated cost of \$72,000.

(17) On page 25, after line 8, insert the following:

The project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 89, Seventy-seventh Congress, first session, at an estimated cost of \$34,000.

(18) On page 25, beginning on line 11, after the word "control", strike out the words "including floods aggravated by or due to tidal effect at the following-named localities," and insert the following:

to be made under the direction of the Chief of Engineers in drainage areas of the United States and its territorial possessions, which include the following-named localities:

(19) On page 25, line 15, strike out the words "the watersheds of", and in line 16, strike out the word "localities" and insert the words "drainage areas"; in line 17, strike out the word "*Provided*,"; strike out all of lines 18 and 19; in line 20, strike out the words "some prior Act or joint resolution shall be made:"; in line 21, strike out the words "further" and "as"; and in line 22, strike out the words "hereby authorized".

(20) On page 26, beginning in line 1, after the word "law", strike out the words "or by resolution of the Committee on Flood Control of the House of Representatives or the Committee on Commerce of the Senate:" and insert the following:

except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions:

(21) On page 26, line 3, strike out the words "*And provided*" and insert in line 3 the word "*Provided*".

(22) On page 26, line 6, after the word "waterway", insert the words "or harbor"; and in line 7, after the colon, insert the following:

And provided further, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

(23) On page 26, after line 17, insert the following:

Red River in the vicinity of Shreveport, Louisiana, with a view to determining the advisability of providing bank protection works.

(24) On page 29, after line 25, insert the following:

SEC. 8. That section 2 of the Flood Control Act of August 28, 1937, as amended, is hereby further amended to read as follows:

"That the Secretary of War is hereby authorized to allot not to exceed \$600,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year."

(25) On page 30, line 1, strike out the numeral "8." and insert the numeral "9."; and strike out the sum "\$260,000,000" and insert the sum "\$275,000,000".

(26) On page 30, line 7, after the word "departments", strike out the comma and the remainder of the sentence in lines 8 to 12, insert a period, and add the following:

There is also hereby authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938, and which the Department is not otherwise authorized to undertake, such additional sums as may be necessary for that purpose.

The Committee on Flood Control of the House of Representatives gives in detail in its Report No. 759, dated June 9, 1941, the explanation of projects included in the flood-control bill as passed by the House of Representatives. These projects are tabulated below:

River or basin:	Authorization
Connecticut River Basin	\$16, 000, 000
Thames River Basin	6, 000, 000
Pawtuxet River Basin	1, 320, 000
Hudson River Basin	2, 170, 000
Lake Champlain Basin	1, 188, 000
Oswego River Basin	3, 220, 000
Susquehanna River Basin	1, 900, 000
Delaware River Basin	300, 000
Mobile River Basin	3, 680, 000
Colorado River Basin (Texas)	10, 725, 000
Brazos River Basin	5, 000, 000
Lower Mississippi River (backwater improvements)	18, 958, 000
Homochitto River	50, 000
Red-Ouachita River Basin	4, 123, 600
White River Basin	26, 847, 500
Arkansas River Basin	31, 238, 000
Ohio River Basin	45, 000, 000
Chattanooga, Tenn., and Rossville, Ga.	13, 500, 000
Upper Mississippi River Basin	460, 000
Sebewaing River	250, 000
Missouri River Basin	12, 131, 000
Santa Ana River Basin	2, 500, 000
Los Angeles-San Gabriel River Basin	25, 000, 000
Sacramento-San Joaquin River Basin	11, 160, 000
Umpqua River Basin	176, 000
Willamette River Basin	11, 062, 000
Columbia River Basin	931, 000
Total	254, 890, 100

The projects added by the proposed amendments of the Committee on Commerce are tabulated as follows:

River or basin:	<i>Authorization</i>
Neuse River Basin.....	\$40, 000
Susquehanna River Basin (Stillwater Reservoir), Pa.....	2, 420, 000
Bayou Teche and Vermilion River Basins.....	1, 390, 000
Mermentau River Basin.....	970, 000
Lower Mississippi River (backwater improvements).....	7, 024, 000
Red-Ouachita River Basin.....	198, 000
Ohio River Basin.....	174, 000
Yaquina River Basin.....	72, 000
Columbia River Basin.....	34, 000
Total.....	12, 322, 000

The explanation of the individual amendments proposed by the committee, follows:

The first amendment modifies section 2 of the bill to provide that formal notification to the local interests of the requirements of local cooperation shall be given in writing by the War Department before the provision for automatic expiration of authorization becomes operative.

Amendment 2 is proposed to include the Stillwater Reservoir in the authorized project for the Susquehanna River Basin.

The Lackawanna River, with a length of 40 miles and a drainage area of 346 square miles, in the northeastern mountainous territory of Pennsylvania, is a tributary of the North Branch of the Susquehanna River and joins it near West Pittston, Pa. Railroads and highways parallel the Lackawanna for most of its length, and it flows through the center of Scranton, the largest city in the Susquehanna Basin.

The recommended plan of improvement for flood control provides for the construction of a concrete gravity dam 80 feet high on the Lackawanna River about 2 miles above Forest City, at an estimated cost to the United States of \$2,420,000. The reservoir would control 55 percent of the watershed above Carbondale, 28 percent of that above Olyphant, and 17 percent of that above Scranton and would offer economically justified protection for this area, including the communities of Carbondale, Olyphant, and Scranton.

The committee finds that the proposed Stillwater Reservoir is desirable for the protection of Carbondale, Olyphant, and Scranton and recommend its construction in accordance with plans on file in the Office of the Chief of Engineers.

Amendment 3 authorizes flood control for Goldsboro and vicinity on the Neuse River.

The Neuse River is formed by the confluence of the Eno and Flat Rivers in Durham County and flows in a general southeasterly direction 300 miles through the Piedmont region and coastal plain of North Carolina, emptying into Pamlico Sound. The area of the watershed is approximately 5,500 square miles.

Floods on Neuse River cause severe damage to growing crops and to portions of the community of Goldsboro. There are about 20,000 acres of cultivated land lying within the flood plain between the westerly line of Johnson County and New Bern. An appreciable reduction in flood heights in Neuse River in the vicinity of Goldsboro can be effected by the plan recommended by the Chief of Engineers for construction of a cut-off channel, at an estimated cost of \$40,000.

The committee find that the economic benefits of the project amply justify the cost and recommend that the work be constructed in accordance with plans recommended by the Chief of Engineers.

Amendment 4 provides for flood protection on Bayou Teche and the Vermilion River, and in the Mermentau River Basin, La.

The principal areas in the Vermilion River Basin in Louisiana that are most frequently subjected to damaging floods are the lowlands above Lafayette. These areas comprise approximately 200 square miles, of which 70,000 acres are cleared and under cultivation in cotton, corn, sugarcane, rice, and various minor crops. Other areas subject to less frequent flooding are the lowlands adjacent to Coulee Kinney and Bayou Isle des Cannes, which are tributaries of the Vermilion River below Lafayette.

The most destructive flood that has visited this watershed in recent years occurred following the storm of August 6-10, 1940, and the estimated damage from this flood alone in the Teche-Vermilion area amounted to \$1,249,700. The plan of improvement, which will afford benefits well in excess of the cost of the work, as recommended by the Chief of Engineers, provides for channel improvement in upper Vermilion River, Ruth Canal, and upper Bayou Teche, at an estimated cost of \$1,390,000.

This project is urgently needed to maintain the orderly economic development of the watershed, and the committee recommend that it be adopted in accordance with the recommendations of the Chief of Engineers.

The Mermentau River Basin in Louisiana, comprising an area of 3,465 square miles, has a population of 120,000. The northern third of the basin is prairie upland moderately well developed for agriculture; the central third is a somewhat flatter prairie, extensively devoted to rice cultivation; and the lower third is a coastal marsh, used largely for stock raising. The area within, and immediately adjacent to, the Mermentau River Basin constitutes one of the most highly developed oil- and gas-producing areas in Louisiana, the total annual production of which aggregated 23,310,658 barrels in 1939.

The Mermentau Basin is subject to frequent overflows as a result of ordinary heavy rainfall as well as ordinary high tides in the Gulf of Mexico, and extended periods of inundation result in serious damage to crop lands in the basin.

The plan of improvement recommended by the Chief of Engineers provides for an enlarged channel in the lower river, a lock and control structure to prevent salt-water intrusion, and connection of Grand and White Lakes to Vermilion Bay in the interest of flood control, and to improve and augment the water supply for rice irrigation, at an estimated cost of \$2,830,000. The estimated cost to the United States for flood-control features of this project is \$970,000.

The committee find that the project for the improvement of the Mermentau River is economically justified and recommend that the flood-control portion of this project be adopted in accordance with the recommendations of the Chief of Engineers.

Amendment 5 is to insert additional wording for clarification of the bill.

Amendment 6 also is for the purpose of similar clarification.

Amendment 7 is recommended by the committee in order that the protection authorized for the Red River backwater area may, at the

discretion of the Chief of Engineers after further investigation, be extended to a larger area.

Amendment 8, which constitutes a new subsection (f) under the lower Mississippi River, is recommended to provide for the inclusion of improvements for Bayous Rapides, Boeuf, and Cocodrie in the development of the authorized project for the alluvial valley of the Mississippi River.

Amendment 9 changes subsection (f) of the House bill to subsection (g) of this bill.

Amendment 10, which was recommended to the Committee on Commerce, adds subsection (h) under the lower Mississippi River to provide that any officer of the Corps of Engineers who has served or shall serve 4 years as President of the Mississippi River Commission, and who has been or shall subsequently be retired, shall from the date of such retirement receive the rank, pay, and allowances of a retired major general.

Amendment 11 provides for modification of the existing project for Bayou Bodeau Reservoir, La.

A project for the construction of a floodway for the diversion of Bayou Bodeau was authorized by the Flood Control Act approved June 22, 1936. The existing project was modified by the Flood Control Act of June 28, 1939. The project as modified provides for the construction of an earth dam 76 feet high, creating a reservoir providing for the controlled storage of 297,900 acre-feet. Recent studies made by the Chief of Engineers show that there is a need for additional flood control in the Bayou Bodeau Basin to supplement the protection to be afforded by the authorized flood-control reservoir. The most practical means of providing this additional protection is by channel improvement below the reservoir on Bayou Bodeau and on Red Chute and Loggy Bayou, at an estimated cost of \$198,000.

The committee concur in the studies made by the Chief of Engineers and recommend that the existing project for Bayou Bodeau be modified to include channel improvements below the reservoir on Bayou Bodeau and on Red Chute and Loggy Bayou.

Amendment 12 adds the citation to the document number of the report containing the recommendations of the Chief of Engineers with respect to the modifications authorized in the bill for the Norfolk Reservoir.

Amendment 13 authorizes flood protection for Salyersville, Ky., on the Licking River in the Ohio River Basin.

The Licking River flows 320 miles in a general northwesterly direction to empty into the Ohio River opposite Cincinnati. The watershed has a tributary area of 3,672 square miles, and two tributaries, State Road Fork and Burning Fork, join the main river at Salyersville. Both streams enter from the right at points not more than 600 feet apart immediately upstream from the business center of the town.

Flooding in this area is of frequent occurrence, as indicated by the fact that 48 floods have occurred in a period of 13 years. During major floods the main business district and the residences of many inhabitants are inundated.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a levee for the protection of Salyersville, Ky., at an estimated cost of \$174,000.

The committee find that a serious flood problem exists at Salyersville, Ky., and recommend that the project be constructed in accordance with the recommendation of the Chief of Engineers.

Amendment 14 is recommended by the committee to facilitate the fulfillment by local interests of the requirements of local cooperation for the project authorized by the bill.

Amendment 15 is recommended by the committee in order to eliminate from the work authorized by the bill the proposed Liberty Bend cut-off in the Missouri River below the Kansas Citys, pending the completion of the review report on the Kansas Citys area now being made in accordance with a resolution of this committee.

Amendment 16 provides for flood protection near the mouth of the Yaquina River, Oreg.

The Yaquina River rises in the Coast Range Mountains in west-central Oregon and flows generally westward for 50 miles to empty into Yaquina Bay. In the lower 10 miles there are a number of tidal sloughs. Along the banks of the main stream and the sloughs there are tide flats which are covered by low tides and bottom lands which are overflowed by the higher tides. Timber is the principal natural resource of the basin and lumbering the principal industry, although there are other industries of importance, such as dairying, fishing, and oyster culture.

The Chief of Engineers finds that a project for the protection of the Mill Four district by the construction of closure dams equipped with tide gates across Boones and Nutes Sloughs is economically justified and recommends their construction, at an estimated cost of \$72,000.

The committee believe that the improvements recommended by the Chief of Engineers are warranted and recommend the adoption of the project.

Amendment 17 authorizes flood protection for Pilot Rock on Birch Creek, Oreg.

Birch Creek is formed by the junction of East and West Birch Creeks at Pilot Rock, Umatilla County, Oreg. Both East and West Birch Creeks flow through the town of Pilot Rock, where there are a number of bridges and other obstructions that prevent the free passage of floodwaters in Birch Creek and its tributaries. On June 22, 1938, five city blocks were inundated by a flood which caused extensive damage.

The plan of improvement recommended by the Chief of Engineers provides for channel improvement on Birch Creek and East and West Birch Creeks through the city of Pilot Rock, for the removal of obstructions, and for minor levee construction, all at an estimated cost of \$34,000.

The committee find that a serious flood problem exists at Pilot Rock and recommend that the project for the protection of Pilot Rock be constructed in accordance with the recommendation of the Chief of Engineers.

Amendments 18 to 22, inclusive, in section 4 of the bill, incorporate therein certain amendments suggested by the President in his message of July 3, 1941 (H. Doc. 301, 77th Cong., 1st sess.).

These amendments provide that (1) the Secretary of War, as well as Congress, may direct preliminary examinations and surveys anywhere in the United States and its possessions; (2) the Secretary of

War may cause a review of any examination or survey to be made and a report thereon submitted to Congress if such review is required by the national defense or by changed physical or economic conditions; and (3) there is covered by law the procedure now being followed under Executive order and agreement between the departments concerned that whenever the Chief of Engineers, in making any preliminary examination or survey for flood-control purposes, finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation of the Department of the Interior the Federal Power Commission, or the Federal Security Agency, whichever is concerned in the multiple-use study.

Amendment 23 is to include in the bill authorization for a preliminary examination and survey of the Red River in the vicinity of Shreveport, La., to determine the advisability of providing bank-protection works.

Amendment 24 adds a new section 8 to the bill, which increases to \$600,000 the authority for allotments in any one fiscal year for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control. The amendment retains the limitation in existing law that not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year.

Amendment 25 changes the number of section 8 of the House bill to section 9 of this bill and raises to \$275,000,000 the total authorization provided by the bill in order that sufficient authority may be available to cover the additional improvements included in the bill by the amendments of this committee.

Amendment 26 adopts a recommendation of the President in his letter of July 3, 1941. This amendment applies to the authority of the Department of Agriculture in carrying out works of improvement for flood control.



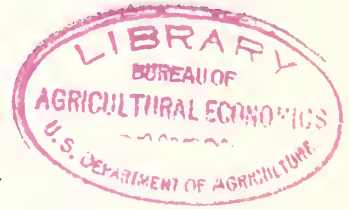


Calendar No. 596

77TH CONGRESS
1ST SESSION

H. R. 4911

[Report No. 575]



IN THE SENATE OF THE UNITED STATES

JUNE 23, 1941

Referred to the Committee on Commerce under authority of the order of the
Senate of June 23, 1941

JULY 24, 1941

Reported by Mr. OVERTON, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Authorizing the construction of certain public works on rivers and
harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That hereafter Federal investigations and improvements of
4 rivers and other waterways for flood control and allied pur-
5 poses shall be under the jurisdiction of and shall be prose-
6 cuted by the War Department under the direction of the
7 Secretary of War and supervision of the Chief of Engineers,
8 and Federal investigations of watersheds and measures for
9 run-off and water-flow retardation and soil-erosion prevention

1 on watersheds shall be under the jurisdiction of and shall be
 2 prosecuted by the Department of Agriculture under the
 3 direction of the Secretary of Agriculture, except as other-
 4 wise provided by Act of Congress.

5 SEC. 2. That section 3 of the Act approved June 22,
 6 1936 (Public, Numbered 738, Seventy-fourth Congress),
 7 as amended by section 2 of the Act approved June 28, 1938
 8 (Public, Numbered 761, Seventy-fifth Congress), shall apply
 9 to all works authorized in this Act, except that for any
 10 channel improvement or channel rectification project provi-
 11 sions (a), (b), and (c) of section 3 of said Act of June
 12 22, 1936, shall apply thereto, and except as otherwise
 13 provided by law: *Provided*, That the third proviso of section
 14 1 of the Flood Control Act approved August 28, 1937
 15 (Public, Numbered 406, 75th Congress) and all of section
 16 8 of the Flood Control Act approved August 11, 1939,
 17 (Public, Numbered 396, 76th Congress) are hereby re-
 18 pealed: *Provided further*, That the authorization for any
 19 flood-control project heretofore or herein adopted requiring
 20 local cooperation shall expire five years from the date of
 21 approval of this Act unless local on which local interests are
 22 notified in writing by the War Department of the require-
 23 ments of local cooperation, unless said interests shall within
 24 said time furnish assurances satisfactory to the Secretary of
 25 War that the required cooperation will be furnished: *And*

1 *provided further*, That in any case where the total authoriza-
2 tion for a project heretofore or hereafter authorized by Con-
3 gress is not sufficient to complete plans that may have been
4 made the Chief of Engineers is authorized in his discretion to
5 plan and make expenditures on preparations for the project,
6 such as the purchase of lands, easements, and rights-of-way;
7 readjustments of roads, railroads, and other utilities; removal
8 of towns, cemeteries, and dwellings from reservoir sites; and
9 the construction of foundations. The Chief of Engineers is
10 also authorized in his discretion to modify the plan for any
11 dam or other work heretofore or hereafter authorized so that
12 such dam or work will be smaller than originally planned
13 with a view to completing a useful improvement within an
14 authorization: *Provided*, That the smaller structure shall be
15 located on the chosen site so that it will be feasible at some
16 future time to enlarge the work in order to permit the full
17 utilization of the site for all purposes of conservation such as
18 flood control, navigation, reclamation, the development of
19 hydroelectric power, and the abatement of pollution.

20 SEC. 3. That the following works of improvement for
21 the benefit of navigation and the control of destructive flood-
22 waters and other purposes are hereby adopted and author-
23 ized in the interest of national security and the stabilization
24 of employment, and shall be prosecuted as speedily as may
25 be consistent with budgetary requirements, under the direc-

tion of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission:

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$6,000,000 for local protection works and \$10,000,000 for reservoirs for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Connecticut River Basin, and such comprehensive plan is hereby modified to include the works recommended by the Chief of Engineers in House Document Numbered 653, Seventy-sixth Congress, third session, and House Document Numbered 724, Seventy-sixth Congress, third session, with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

The Secretary of War is authorized to reimburse the city of Hartford, Connecticut, the sum of \$252,000 hereto-

1 fore contributed to the United States by said city for the
2 realignment of the South Meadows section of the flood-
3 protection works in accordance with the plans contained
4 in House Document Numbered 653, Seventy-sixth Congress,
5 third session: *Provided*, That there shall be deducted from
6 the aforementioned sum any reimbursement which may be
7 made to said city pursuant to the provisions of section 1 of
8 the War Department Civil Appropriation Act, 1938,
9 approved July 19, 1937.

10

THAMES RIVER BASIN

11 The plan for a system of reservoirs and channel im-
12 provements in the Thames River Basin, Connecticut, Rhode
13 Island, and Massachusetts, in accordance with the recommen-
14 dation of the Chief of Engineers in House Document Num-
15 bered 885, Seventy-sixth Congress, third session, is ap-
16 proved, and there is hereby authorized \$6,000,000 for
17 initiation and partial accomplishment of the project.

18

PAWTUXET RIVER BASIN

19 The project for local flood protection on the North
20 Branch of Pawtuxet River at Clyde, Rhode Island, and for
21 the Pontiac diversion is hereby authorized to be constructed
22 substantially in accordance with the recommendation of the
23 Chief of Engineers in House Document Numbered 747,

1 Seventy-sixth Congress, third session, at an estimated cost
2 of \$1,320,000.

3 HUDSON RIVER BASIN

4 The projects adopted by the Act of June 22, 1936, to
5 provide for local flood-protection works in the Hoosic River
6 Basin at North Adams in Massachusetts; at Hoosick Falls,
7 New York, and at Bennington, Vermont, are hereby modi-
8 fied and extended to include the town of Adams, Massa-
9 chusetts, in accordance with the recommendation of the Chief
10 of Engineers in House Document Numbered 182, Seventy-
11 sixth Congress, first session, and are authorized to be con-
12 structed substantially in accordance with said recommenda-
13 tion at an estimated cost of \$2,170,000.

14 LAKE CHAMPLAIN BASIN

15 The project for local flood protection on the Winooski
16 River at Waterbury, Vermont, is hereby authorized to be
17 constructed substantially in accordance with the recommenda-
18 tion of the Chief of Engineers in House Document Num-
19 bered 656, Seventy-sixth Congress, third session, at an
20 estimated cost of \$880,000.

21 The project adopted by the Act of June 22, 1936, to
22 provide for local flood-protection works on Otter Creek at
23 Rutland, Vermont, is hereby modified in accordance with the
24 recommendation of the Chief of Engineers in Senate Docu-

1 ment Numbered 171, Seventy-sixth Congress, third session,
2 and is authorized to be constructed substantially in accord-
3 ance with said recommendation at an estimated cost of
4 \$308,000.

5 OSWEGO RIVER BASIN

6 The projects for flood control and other purposes at
7 Canandaigua, Keuka, and Owasco Lakes, and at Hammonds-
8 port, Watkins Glen, Montour Falls, Ithaca, and Syracuse,
9 New York, are hereby authorized to be constructed substan-
10 tially in accordance with the recommendation of the Chief
11 of Engineers in House Document Numbered 846, Seventy-
12 sixth Congress, third session, at an estimated cost of
13 \$3,220,000.

14 SUSQUEHANNA RIVER BASIN

15 The project adopted by the Act of June 22, 1936,
16 to provide for local flood-protection works on the Susque-
17 hanna River at Sunbury, Pennsylvania, is hereby modified
18 in accordance with the recommendation of the Chief of
19 Engineers in House Document Numbered 366, Seventy-
20 sixth Congress, first session, and is authorized to be con-
21 structed substantially in accordance with said recommenda-
22 tion at an estimated cost of \$1,900,000.

23 *The project for flood control in the Susquehanna River*
24 *Basin in southern New York and eastern Pennsylvania*

1 *adopted by the Act of June 22, 1936, is hereby modified to*
2 *include and authorize the construction of the Stillwater Reser-*
3 *voir on the Lackawanna River, Pennsylvania, for flood*
4 *control and other purposes in accordance with plans now in*
5 *the Office of the Chief of Engineers at an estimated cost to*
6 *the United States of \$2,420,000.*

7

DELAWARE RIVER BASIN

8 The project for local flood protection on Rancocas Creek
9 in the vicinity of Mount Holly, New Jersey, is hereby au-
10 thorized to be constructed substantially in accordance with
11 the recommendation of the Chief of Engineers in House
12 Document Numbered 128, Seventy-seventh Congress, first
13 session, at an estimated cost of \$300,000.

14

NEUSE RIVER BASIN

15 *The project for local flood protection on the Neuse River*
16 *in the vicinity of Goldsboro, North Carolina, is hereby author-*
17 *ized to be constructed substantially in accordance with the*
18 *recommendation of the Chief of Engineers in House Docu-*
19 *ment Numbered , Seventy-seventh Congress, first session, at*
20 *an estimated cost of \$40,000.*

21

MOBILE RIVER BASIN

22 The project for local flood protection at Prattville,
23 Alabama, on Autauga Creek, a tributary of the Alabama-
24 Coosa River, is hereby authorized to be constructed sub-

1 stantially in accordance with the recommendation of the
2 Chief of Engineers in House Document Numbered 657,
3 Seventy-sixth Congress, third session, at an estimated cost
4 of \$530,000.

5 The plan for the Allatoona Reservoir on the Etowah
6 River in the Coosa River Basin, Georgia, for flood control
7 and other purposes in accordance with the recommendation
8 of the Chief of Engineers in House Document Numbered
9 674, Seventy-sixth Congress, third session, is approved and
10 there is hereby authorized \$3,000,000 for initiation and
11 partial accomplishment of the project.

12 The project for flood control on the Tombigbee River
13 authorized by the Act of June 22, 1936, is hereby modified
14 to provide for additional channel improvements and related
15 works for flood control for the Tombigbee River and tribu-
16 taries above the mouth of and including the Noxubee River
17 in accordance with plans approved by the Chief of Engineers
18 at an estimated cost of \$150,000.

19 *BAYOU TECHÉ AND VERMILION RIVER*

20 *The project for the improvement of Bayou Teche and*
21 *the Vermilion River, Louisiana, is hereby authorized to be*
22 *constructed substantially in accordance with the recommenda-*
23 *tions of the Chief of Engineers in his report of June 23,*
24 *1941, at an estimated cost of \$1,390,000.*

MERMENTAU RIVER BASIN

The project for the improvement of the Mermentau River in Louisiana for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 19, 1941, at an estimated cost of \$970,000.

COLORADO RIVER BASIN (TEXAS)

The plan for improvement of the Lower Colorado River, Texas, for flood control in accordance with the recommendation of the Chief of Engineers in House Document Numbered 312, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$6,500,000 for the construction of the project.

The plan for San Angelo Reservoir for flood control and other purposes on the North Concho River, Texas, and for local flood-protection works at San Angelo, Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 315, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$2,000,000 for initiation and partial accomplishment of the project.

The plan for Hords Creek Reservoir and for enlargement of the existing Lake Brownwood Reservoir for flood control and other purposes on Pecan Bayou and its tributaries in Texas, in accordance with the recommendation of

1 the Chief of Engineers in House Document Numbered 370,
2 Seventy-sixth Congress, first session, is approved and there
3 is hereby authorized \$1,400,000 for initiation and partial
4 accomplishment of the project, including \$460,000 for the
5 Hords Creek Reservoir.

6 The project for local flood protection on Brady Creek at
7 Brady, Texas, is hereby authorized to be constructed sub-
8 stantially in accordance with the recommendation of the Chief
9 of Engineers in House Document Numbered 441, Seventy-
10 sixth Congress, first session, at an estimated cost of \$825,000.

11 BRAZOS RIVER BASIN

12 The plan for Whitney Reservoir on the Brazos River
13 in Texas, for flood control and other purposes in accordance
14 with the recommendation of the Chief of Engineers in House
15 Document Numbered 390, Seventy-sixth Congress, first
16 session, is approved and there is hereby authorized \$5,000,-
17 000 for the initiation and partial accomplishment of the
18 project.

19 LOWER MISSISSIPPI RIVER

20 The project for flood control of the Lower Mississippi
21 River adopted by the Act of May 15, 1928, as amended by
22 the Act of June 15, 1936, as amended by the Acts of
23 August 28, 1937, and June 28, 1938, is hereby modified
24 and, as modified, is hereby authorized and adopted, and

1 the Flood Control Act of June 15, 1936, as amended, is
2 amended as follows:

3 (a) The existing engineering plan for flood control in
4 the alluvial valley of the Mississippi River is hereby modified
5 so as to provide for the construction of plan 4 as set forth
6 in the report of the Mississippi River Commission, dated
7 March 7, 1941, to the Chief of Engineers, except that the
8 levees in the Yazoo Basin on the east bank of the Mississippi
9 River south of the Coahoma-Bolivar County line in said
10 plan shall have a three-foot freeboard over the project flood,
11 and all levees shall be constructed with adequate section and
12 foundation to conform to increased levee heights. The Boeuf
13 Floodway in the project adopted by the Act of May 15,
14 1928, and the Eudora Floodway as well as the Northward
15 Extension and the back protection levee extending from the
16 head of the said Eudora Floodway north to the Arkansas
17 River in the project adopted by the Act of June 15, 1936,
18 as amended, are hereby abandoned, and the provisions of
19 said Acts relating to the prosecution of work on said flood-
20 ways and extension are hereby repealed.

21 (b) The project for flood control of the Yazoo River
22 shall be as authorized by the Flood Control Act approved
23 June 15, 1936, as amended by section 2 of the Act ap-
24 proved June 28, 1938, except that the Chief of Engineers
25 may, in his discretion, from time to time, substitute therefor

1 combinations of reservoirs, levees, and channel improve-
2 ments; and except that the ~~improvements~~ *extension of the*
3 *authorized project and improvements* contemplated in plan
4 C of the report of March 7, 1941, of the Mississippi
5 River Commission are authorized, including the extension of
6 the levee on the east bank of the Mississippi River generally
7 along the west bank of the Yazoo River to a connection in
8 the vicinity of Yazoo City with the Yazoo River levee,
9 authorized by the existing project for protection against
10 headwater floods of the Yazoo River system, and the adjust-
11 ment in the discretion of the Chief of Engineers of the grades
12 of the existing levees in the backwater area on the east
13 bank of Yazoo River below Yazoo City, all at an estimated
14 additional cost of \$11,982,000: *Provided*, That the Chief
15 of Engineers shall fix the grade of the extension levees along
16 the Yazoo River, with higher levees in his discretion, so
17 that their construction will give the maximum practical
18 protection without jeopardizing the safety and integrity of
19 the main Mississippi River levees: *And provided further*,
20 That prior to the beginning of construction local authorities
21 shall furnish satisfactory assurances that they will (1) main-
22 tain the levees in accordance with the provisions of section 3
23 of the Act of May 15, 1928, and will (2) not raise the
24 levees in the backwater above the limiting elevations estab-
25 lished therefor by the Chief of Engineers.

1 (c) ~~The~~ *In the development of the authorized project,*
2 *the construction of a levee and improvements contemplated*
3 *in the report of March 7, 1941, of the Mississippi River*
4 *Commission from the main-line levee on the west bank*
5 *of the Mississippi River in the vicinity of Shaw, Louisiana,*
6 *westward and northward to the vicinity of Newlight,*
7 *Louisiana, for the protection of that part of the Red River*
8 *backwater known as the Tensas-Cocodrie area at an esti-*
9 *mated cost of \$6,976,000 is hereby authorized: Provided,*
10 *That the Chief of Engineers shall fix the grade of said*
11 *levee, with a higher levee in his discretion, so that its con-*
12 *struction will give the maximum practical protection without*
13 *jeopardizing the safety and integrity of the main Mississippi*
14 *River levees: And provided further, That prior to the begin-*
15 *ning of construction local authorities shall furnish satisfactory*
16 *assurances that they will (1) maintain the levee in accord-*
17 *ance with the provisions of section 3 of the Act of May 15,*
18 *1928, and will (2) not raise the said levee above the limiting*
19 *elevations established therefor by the Chief of Engineers:*
20 *Provided further, That subject to the foregoing conditions of*
21 *local cooperation the Chief of Engineers may in his discre-*
22 *tion substitute other levees and appurtenant works for, or*
23 *make such modifications of, the levees and improvements*
24 *herein authorized for the protection of the Tensas-Cocodrie*

1 area as may be found after further investigation to afford
2 protection to a larger area in the Red River Backwater at a
3 total cost not to exceed \$14,000,000 and without jeopardizing
4 the safety and integrity of the main Mississippi River levees
5 and without jeopardizing the diversion contemplated in the
6 adopted project through the Atchafalaya Basin.

7 (d) The Chief of Engineers, with approval of the Sec-
8 retary of War, shall reimburse local authorities for actual
9 expenditures found by the Chief of Engineers to be reason-
10 able, for providing at the request of the United States, in
11 accordance with local legal procedure or custom, rights-of-
12 way and flowage easements required for future setbacks of
13 main-line Mississippi River levees.

14 (e) The existing engineering plan for flood control of
15 the Saint Francis River is hereby modified so as to permit
16 the substitution for the suspended portions of the original
17 project below Oak Donnick, Arkansas, of the construction
18 of a ditch in Cross County, Arkansas, beginning in the vicin-
19 ity of the outlet end of the existing Oak Donnick to Saint
20 Francis Bay floodway and terminating in Saint Francis Bay
21 about two miles north of Riverfront, including the construc-
22 tion of a highway bridge at State Highway Numbered 42
23 made necessary by the ditch construction: *Provided*, That
24 local interests give assurances satisfactory to the Secretary
25 of War that they will (1) provide without cost to the United

1 States all lands, easements, and rights-of-way necessary for
2 the construction; (2) hold and save the United States free
3 from damages due to the construction works; and (3) main-
4 tain the works after completion in accordance with regula-
5 tions prescribed by the Secretary of War.

6 *(f) In the development of the authorized project, the*
7 *construction of improvements for Bayou Rapides, Boeuf,*
8 *and Cocodrie, Louisiana, contemplated in the report dated*
9 *March 24, 1941, of the Special Board of Officers at an esti-*
10 *mated cost of \$2,600,000 is hereby authorized.*

11 ~~(f)~~ *(g)* The total authorizations heretofore made for the
12 flood control project of the alluvial valley of the Mississippi
13 River shall not be increased by reason of any provision in
14 this Act, except for the additional amounts necessary for the
15 Yazoo and Red River backwater improvements, and any
16 appropriations heretofore or hereafter made or authorized for
17 said project as herein or heretofore modified may be ex-
18 pended upon any feature of the said project, notwithstanding
19 any restrictions, limitations, or requirements of existing law:
20 *Provided, That funds hereafter expended for maintenance*
21 *shall not be considered as reducing present remaining bal-*
22 *ances of authorizations.*

23 *(h) Any officer of the Corps of Engineers who has*
24 *served or shall serve four years as President of the Mississippi*
25 *River Commission and who has been or shall subsequently*

1 *be retired, shall, from the date of such retirement, receive*
2 *the rank, pay, and allowances of a retired major general.*

3 The project for flood control on the Homochitto River
4 in Mississippi, authorized by the Act of June 22, 1936
5 (Public, Numbered 738, Seventy-fourth Congress), and
6 modified by the Act of June 28, 1938 (Public, Numbered
7 761, Seventy-fifth Congress), is hereby further modified to
8 provide for additional channel improvements and related
9 works for flood control on the Homochitto River and tribu-
10 taries in accordance with plans approved by the Chief of
11 Engineers, and for the execution of these plans there is hereby
12 authorized \$50,000.

13 RED-OUACHITA RIVER BASIN

14 The project for local flood protection on the Ouachita
15 River near Calion, Arkansas, is hereby authorized to be con-
16 structed substantially in accordance with the recommendation
17 of the Chief of Engineers in House Document Numbered
18 427, Seventy-sixth Congress, first session, at an estimated
19 cost of \$50,000.

20 The project for local protection on the Red River in
21 Grant Parish below Colfax, Louisiana, authorized by the Act
22 approved June 28, 1938, is hereby amended to add and
23 authorize the following: Levee enlargement, new levee ex-
24 tension, and the construction of appurtenant drainage struc-
25 tures on the left bank of the Red River opposite Alexandria

1 for the protection of Pineville, Louisiana, and vicinity, at an
2 estimated cost to the United States of \$159,100, subject to
3 the provisions of section 3 of the Act approved June 22,
4 1936.

5 The project for local flood protection on the Red River
6 in Grant Parish below Colfax, Louisiana, authorized by the
7 Act approved June 28, 1938, is hereby further amended
8 to include and to authorize the following: Levees and appur-
9 tenant drainage works on the left bank of the Red River
10 and along Bayous Darrow and Rigolette, the improvement
11 of the channel of Bayou Rigolette, and the separation of
12 the channels of Bayous Darrow and Rigolette in the Aloha-
13 Rigolette area, Grant and Rapides Parish, Louisiana, all at
14 an estimated cost to the United States of \$914,500, subject
15 to the provisions of section 3 of the Flood Control Act
16 approved June 22, 1936.

17 *The project for the Bayou Bodcau Reservoir, Louisiana,*
18 *authorized by the Act of June 22, 1936, as modified by*
19 *the Acts of June 28, 1938, and June 28, 1939, is hereby*
20 *further modified to include and to authorize channel im-*
21 *provements below the reservoir on Bayou Bodcau, Red Chute,*
22 *and Loggy Bayou at an estimated cost of \$198,000, subject*
23 *to the provisions of Section 3 of the Flood Control Act*
24 *approved June 22, 1936.*

25 The plan for the Narrows Reservoir for flood control

1 and other purposes on the Little Missouri River, Arkansas,
2 and for local flood protection on the main river below Mur-
3 freesboro and on the Terre Noire and Ozan Creeks, sub-
4 stantially in accordance with recommendation of the Chief
5 of Engineers in House Document Numbered 837, Seventy-
6 sixth Congress, third session, is approved and there is hereby
7 authorized \$3,000,000 for initiation and partial accomplish-
8 ment of the project.

9 WHITE RIVER BASIN

10 In addition to previous authorizations, there is hereby
11 authorized to be appropriated the sum of \$24,000,000 for
12 the prosecution of the comprehensive plan approved in the
13 Act of June 28, 1938, for the White River Basin in Missouri
14 and Arkansas, including the projects for flood control and
15 other purposes recommended by the Chief of Engineers in
16 House Document Numbered 917, Seventy-sixth Congress,
17 third session, and the modifications in the Norfolk Reservoir
18 project recommended by the Chief of Engineers in *House*
19 *Document Numbered 290, Seventy-seventh Congress, first*
20 *session.*

21 The projects for local flood protection on the White
22 River, on the east side between Augusta and Clarendon,
23 Arkansas, and at the town of De Valls Bluff, Arkansas, are
24 hereby authorized to be constructed substantially in accord-
25 ance with the recommendation of the Chief of Engineers in

1 House Document Numbered 98, Seventy-sixth Congress,
2 first session, at an estimated cost of \$2,847,500.

3 ARKANSAS RIVER BASIN

4 The general comprehensive plan for flood control and
5 other purposes, approved by the Act of June 28, 1938, for
6 the Arkansas River Basin, is hereby modified to include the
7 reservoirs in the Grand (Neosho) River Basin in Oklahoma
8 and Missouri, and in the Verdigris River Basin in Kansas,
9 in accordance with the recommendations of the Chief of
10 Engineers in House Documents Numbered 107 and 440 of
11 the Seventy-sixth Congress, first session. In addition to
12 previous authorizations, there is hereby authorized to be
13 appropriated the sum of \$29,000,000 for the prosecution of
14 said comprehensive plan.

15 The project for local flood protection on the Salt Fork
16 of the Arkansas River in the vicinity of Cherokee, Oklahoma,
17 is hereby authorized to be constructed substantially in ac-
18 cordance with the recommendation of the Chief of Engineers
19 in House Document Numbered 480, Seventy-sixth Congress,
20 second session, at an estimated cost of \$800,000.

21 The project for local flood protection along the south
22 bank of the Arkansas River between Little Rock and Pine
23 Bluff, Arkansas, is hereby authorized to be constructed sub-
24 stantially in accordance with the recommendation of the
25 Chief of Engineers in House Document Numbered 718,

1 Seventy-sixth Congress, third session, at an estimated cost
2 of \$641,000, with such modifications as may be advisable
3 in the discretion of the Secretary of War and the Chief of
4 Engineers.

5 The project for local flood protection along the north
6 bank of the Arkansas River in the Crawford County Levee
7 District, Arkansas, is hereby authorized to be constructed
8 substantially in accordance with the recommendation of the
9 Chief of Engineers in House Document Numbered 720,
10 Seventy-sixth Congress, third session, at an estimated cost
11 of \$284,000.

12 The project for local flood protection on both sides of
13 the Arkansas River in the immediate vicinity of Tulsa and
14 West Tulsa, Oklahoma, is hereby authorized to be con-
15 structed substantially in accordance with the recommendation
16 of the Chief of Engineers in House Document Numbered
17 157, Seventy-seventh Congress, first session, at an estimated
18 cost of \$513,000.

19 OHIO RIVER BASIN

20 In addition to previous authorizations, there is hereby
21 authorized to be appropriated the sum of \$45,000,000 for
22 the prosecution of the comprehensive plan approved in the
23 Act of June 28, 1938, for the Ohio River Basin, modified to
24 include the Allegheny Reservoir project in accordance with
25 the recommendation of the Chief of Engineers in House

1 Document Numbered 300, Seventy-sixth Congress, first
2 session.

3 *The project for local flood protection on the Licking River*
4 *at Salyersville, Kentucky, is hereby authorized to be con-*
5 *structed substantially in accordance with the recommendations*
6 *of the Chief of Engineers in House Document Numbered 261,*
7 *Seventy-seventh Congress, first session, at an estimated cost*
8 *of \$174,000.*

TENNESSEE RIVER BASIN

The projects for local flood protection on the Tennessee River at Chattanooga, Tennessee, and Rossville, Georgia, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 479, Seventy-sixth Congress, second session, at an estimated cost of \$13,500,000.

UPPER MISSISSIPPI RIVER BASIN

The project adopted by the Act of June 22, 1936, for the Dry Run Reservoir near Decorah, Iowa, is hereby modified to authorize the Chief of Engineers to modify the project so as to provide protection by diversion of floodwaters in accordance with revised plans now on file in his office, at an estimated Federal cost of \$460,000.

SEBEWAING RIVER

24 The project for local flood protection on the Sebewaing
25 River in the vicinity of Sebewaing, Michigan, is hereby

1 authorized to be constructed substantially in accordance with
2 the recommendation of the Chief of Engineers in House
3 Document Numbered 286, Seventy-sixth Congress, first ses-
4 sion, at an estimated cost of \$250,000.

5 MISSOURI RIVER BASIN

6 In addition to previous authorizations, there is hereby
7 authorized to be appropriated the sum of \$7,000,000 for the
8 prosecution of the comprehensive plan approved in the Act
9 of June 28, 1938, for the Missouri River Basin, including
10 the project for the Harlan County Reservoir on the Repub-
11 lican River, Nebraska, recommended by the Chief of En-
12 gineers in House Document Numbered 842, Seventy-sixth
13 Congress, third session, and such other supplemental flood-
14 control works on the Republican River as the Secretary of
15 War and the Chief of Engineers may find advisable.

16 The comprehensive plan for the improvement of Cherry
17 Creek and tributaries, Colorado, for flood control and other
18 purposes in accordance with the recommendations of the
19 Chief of Engineers in House Document Numbered 426,
20 Seventy-sixth Congress, first session, is approved and there
21 is hereby authorized \$3,000,000 for the initiation and partial
22 accomplishment of the project.

23 The project for local flood protection on the Platte River
24 in the vicinity of Schuyler, Nebraska, is hereby authorized
25 to be constructed substantially in accordance with the recom-

1 mendation of the Chief of Engineers in House Document
2 Numbered 250, Seventy-sixth Congress, first session, at an
3 estimated cost of \$63,000.

4 The project for local flood protection on the Missouri
5 River and Indian Creek at Council Bluffs, Iowa, is hereby
6 authorized to be constructed substantially in accordance with
7 the recommendation of the Chief of Engineers in House
8 Document Numbered 577, Seventy-sixth Congress, third
9 session, at an estimated cost of \$18,000.

10 The project for the improvement of Fall River and
11 tributaries, South Dakota, for flood control is hereby author-
12 ized to be constructed substantially in accordance with the
13 recommendation of the Chief of Engineers in House Docu-
14 ment Numbered 655, Seventy-sixth Congress, third session,
15 at an estimated cost of \$1,050,000.

16 The project for flood protection in the vicinity of Sioux
17 City, Iowa, and along both banks of the Missouri River be-
18 tween Sioux City and Kansas City for flood control in ac-
19 cordance with the recommendation of the Chief of Engineers
20 in House Document Numbered 821, Seventy-sixth Congress,
21 third session, is approved and there is hereby authorized
22 \$1,000,000 for the initiation and partial accomplishment
23 thereof: *Provided, That such project is hereby modified by*
24 *eliminating the requirement that the States having a com-*
25 *mon boundary on the Missouri River shall, as a condition*
26 *precedent to the initiation of construction along that portion*

1 *of the river, establish by interstate compact floodway boundary*
2 *lines and floodway regulations satisfactory to the Secretary*
3 *of War.*

4 The project adopted by the Act of June 22, 1936, to
5 provide flood protection of the Kansas Citys, Kansas and
6 Missouri, is hereby modified to include cut-offs in the vicinity
7 of Liberty Bend substantially in accordance with the recom-
8 mendation of the Chief of Engineers in House Document
9 Numbered 722, Seventy-sixth Congress, third session.

10 SANTA ANA RIVER BASIN

11 In addition to previous authorizations, there is hereby
12 authorized to be appropriated the sum of \$2,500,000 for
13 the prosecution of the projects approved in the Acts of June
14 22, 1936, and June 28, 1938, for flood control in the Santa
15 Ana River Basin and for the protection of Orange County in
16 California.

17 LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA
18 CREEK

19 The general comprehensive plan for flood control and
20 other purposes in the basins of the Los Angeles and San
21 Gabriel Rivers and Ballona Creek as set forth in House
22 Document Numbered 838, Seventy-sixth Congress, third
23 session, is approved, and in addition to previous authoriza-
24 tions there is hereby authorized \$25,000,000 for the partial
25 accomplishment of that plan.

SACRAMENTO-SAN JOAQUIN RIVER BASIN

The projects for the control of floods and other purposes in the Sacramento River, California, adopted by the Acts approved March 1, 1917, May 15, 1928, and August 26, 1937, are hereby modified substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 205, Seventy-seventh Congress, first session, at an estimated cost of \$10,500,000, and also modified to provide for channel clearing, rectification, snagging, and bank protection on the Sacramento River and tributaries in Tehama County, and from Red Bluff southerly, at an additional estimated cost of \$150,000.

The project for the Fresno County Stream Group for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 845, Seventy-sixth Congress, third session, at an estimated cost of \$510,000.

UMPQUA RIVER BASIN

The project for improvement of the Umpqua River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 684, Seventy-sixth Congress, third session, at an estimated cost of \$176,000.

YAQUINA RIVER BASIN

1

2 *The project for local flood protection on the Yaquina*
3 *River in the Mill Four District, Oregon, is hereby authorized*
4 *to be constructed substantially in accordance with the recom-*
5 *mendation of the Chief of Engineers in House Document*
6 *Numbered 304, Seventy-seventh Congress, first session, at an*
7 *estimated cost of \$72,000.*

8

WILLAMETTE RIVER BASIN

9 In addition to previous authorizations, there is hereby
10 authorized to be appropriated the sum of \$11,000,000 for
11 the prosecution of the comprehensive plan approved in the
12 Act of June 28, 1938, for the Willamette River Basin in
13 Oregon.

14 The project for improvement of the Pudding River in
15 Oregon for flood control is hereby authorized to be con-
16 structed substantially in accordance with the recommenda-
17 tion of the Chief of Engineers in Senate Document Num-
18 bered 185, Seventy-sixth Congress, third session, at an
19 estimated cost of \$62,000

20

COLUMBIA RIVER BASIN

21 The project for local flood protection on the Touchet
22 River at Dayton, Washington, is hereby authorized to be
23 constructed substantially in accordance with the recom-
24 mendation of the Chief of Engineers in House Document

1 Numbered 662, Seventy-sixth Congress, third session, at an
2 estimated cost of \$146,000.

3 The project for levees, channel enlargement, and channel
4 rectification on Walla Walla River in the vicinity of Milton
5 and Freewater, Oregon, is hereby authorized to be constructed
6 substantially in accordance with the recommendation of the
7 Chief of Engineers in House Document Numbered 719,
8 Seventy-sixth Congress, third session, and the project for the
9 protection of the city of Walla Walla, Washington, author-
10 ized by the Act approved June 28, 1938, is hereby modified
11 in accordance with the recommendations of the Chief of
12 Engineers, in House Document Numbered 719, Seventy-
13 sixth Congress, third session, at an estimated cost of \$754,000.

14 The project for levees on the Cowlitz River, Washing-
15 ton, for local flood protection at Castle Rock, Washington, is
16 hereby authorized to be constructed substantially in accord-
17 ance with the recommendation of the Chief of Engineers in
18 House Document Numbered 721, Seventy-sixth Congress,
19 third session, at an estimated cost of \$31,000.

20 *The project for local flood protection on Birch Creek in*
21 *the vicinity of Pilot Rock, Oregon, is hereby authorized to*
22 *be constructed substantially in accordance with the recom-*
23 *mendation of the Chief of Engineers in Senate Document*
24 *Numbered 89, Seventy-seventh Congress, first session, at an*
25 *estimated cost of \$34,000.*

1 SEC. 4. The Secretary of War is hereby authorized and
 2 directed to cause preliminary examinations and surveys for
 3 flood control, ~~including floods aggravated by or due to tidal~~
 4 ~~effect at the following-named localities;~~ *to be made under the*
 5 *direction of the Chief of Engineers, in drainage areas of the*
 6 *United States and its territorial possessions, which include the*
 7 *following-named localities,* and the Secretary of Agriculture
 8 is authorized and directed to cause preliminary examinations
 9 and surveys for run-off and water-flow retardation and soil-
 10 erosion prevention on ~~the watersheds of such localities drain-~~
 11 *age areas;* the cost thereof to be paid from appropriations
 12 heretofore or hereafter made for such purposes: ~~Provided,~~
 13 ~~That no preliminary examination, survey, project, or esti-~~
 14 ~~mate for new works other than those designated in this or~~
 15 ~~some prior Act or joint resolution shall be made:~~ *Provided*
 16 *further,* That after the regular or formal reports made ~~as~~
 17 ~~hereby authorized~~ on any examination, survey, project, or
 18 work under way or proposed are submitted to Congress, no
 19 supplemental or additional report or estimate shall be made
 20 unless authorized by law ~~or by resolution of the Committee~~
 21 ~~on Flood Control of the House of Representatives or the~~
 22 ~~Committee on Commerce of the Senate:~~ *except that the Sec-*
 23 *retary of War may cause a review of any examination or*
 24 *survey to be made and a report thereon submitted to the Con-*
 25 *gress if such review is required by the national defense or*

1 *by changed physical or economic conditions: ~~And provided~~*
 2 *Provided further, That the Government shall not be deemed*
 3 *to have entered upon any project for the improvement of*
 4 *any waterway or harbor mentioned in this Act until the*
 5 *project for the proposed work shall have been adopted by*
 6 *law: And provided further, That whenever the Chief of*
 7 *Engineers in making any preliminary examination or survey*
 8 *for flood-control purposes finds it desirable to include in such*
 9 *examination or survey an investigation of one or more related*
 10 *purposes of water use and control, he shall request the par-*
 11 *ticipation (which is hereby authorized) of the Department*
 12 *of the Interior in any such investigation relating to irrigation*
 13 *development, to the recreational development of reservoirs and*
 14 *waterways, or to the conservation of aquatic and other wild-*
 15 *life, of the Federal Power Commission in any such investi-*
 16 *gation relating to electric power development, and of the*
 17 *Federal Security Agency in any such investigation relating*
 18 *to the abatement of water pollution and the provision of*
 19 *domestic and industrial water supply.*

20 Byram River and tributaries, Connecticut.

21 Blind Brook and tributaries, New York.

22 Mamaroneck and Sheldrake Rivers and their tributaries,
 23 New York.

- 1 Bronx River and tributaries, New York.
- 2 Hutchinson River and tributaries, New York.
- 3 Saw Mill River and tributaries, New York.
- 4 Garden Creek, Mathews County, Virginia.
- 5 Indian River, Upper Saint Johns River and Marsh, and
- 6 North Fork, Saint Lucie River, and their tributaries, Florida.
- 7 *Red River in the vicinity of Shreveport, Louisiana, with*
- 8 *a view to determining the advisability of providing bank-pro-*
- 9 *tection works.*
- 10 Rio Grande and tributaries, New Mexico.
- 11 Mimbres River and tributaries, New Mexico.
- 12 Pearl River, Mississippi.
- 13 Lake Pontchartrain, Louisiana, from the Orleans-Jeffer-
- 14 son Parish line westward and northward to the vicinity of
- 15 Frenier.
- 16 Black River, Catahoula and Concordia Parishes, Louisi-
- 17 ana.
- 18 Dogy and Clear Creeks, tributaries of the Arkansas
- 19 River, Oklahoma.
- 20 Salt Creek of the Arkansas River and tributaries, Osage
- 21 County, Oklahoma.
- 22 Red River of the North Drainage Basin, Minnesota,
- 23 South Dakota, and North Dakota.

- 1 Inlets and outlets to Lake Hendricks, South Dakota and
- 2 Minnesota.
- 3 North Fork and South Fork of the Shoshone River and
- 4 their tributaries, Wyoming.
- 5 Emery River and tributaries, Tennessee.
- 6 Redstone and Dunlap Creeks and tributaries, Penn-
- 7 sylvania.
- 8 West Fork River and tributaries, West Virginia, with a
- 9 view to determining the advisability of constructing a system
- 10 of multiple-use reservoirs.
- 11 Milwaukee River and tributaries, Wisconsin.
- 12 Little Calumet River and tributaries, Indiana.
- 13 Little Black River and tributaries, Michigan.
- 14 Sturgeon and Otter Rivers, and their tributaries, Mich-
- 15 igan.
- 16 Cuyahoga River and tributaries, Ohio.
- 17 Big Sur River and Carmel River, and their tributaries,
- 18 Monterey County, California.
- 19 Laguna Canyon, California.
- 20 All streams in San Diego County, California, flowing
- 21 into the Pacific Ocean.
- 22 All streams in San Diego and Imperial Counties, Cali-
- 23 fornia, flowing into the Salton Sea.
- 24 Coyote River and tributaries, California.

1 San Francisquito Creek, San Mateo and Santa Clara
2 Counties, California.

3 Alhambra Creek and tributaries, California.

4 Matadero Creek, Santa Clara County, California.

5 Novato Creek and its tributaries, Marin County, Cali-
6 fornia.

7 Petaluma Creek and tributaries, Sonoma County, Cali-
8 fornia.

9 Guadalupe River and tributaries, California.

10 Silvies River and tributaries, Oregon.

11 Columbia River and tributaries, Washington, from the
12 downstream point of Vancouver Lake to upstream point of
13 Bachelor Island.

14 Salmon Creek, in the vicinity of Juneau, Alaska.

15 Yaguez, Estero, Portuguez, Bucana, Lapa, Guamani,
16 Chico, Maunabo, Quebrada Arena, and Susua Rivers, and
17 tributaries, Puerto Rico.

18 Creque Gut and Fair Plain Gut and their tributaries,
19 Island of Saint Croix, and of Turpentine Run, and Crown
20 Mountain water courses and their tributaries, Island of Saint
21 Thomas, Virgin Islands.

22 SEC. 5. That the Secretary of War is hereby authorized
23 to allot, from any appropriations heretofore or hereafter made
24 for flood control, not to exceed \$1,000,000 for any one fiscal

1 year to be expended in rescue work or in the repair or main-
2 tenance of any flood-control work threatened or destroyed
3 by flood.

4 SEC. 6. That the provisions of the following Acts of
5 Congress relating to river and harbor improvements are
6 hereby made applicable to works of flood control heretofore
7 or hereafter authorized: August 8, 1917, section 9 (40 Stat.
8 267) ; July 18, 1918, sections 5 and 6 (40 Stat. 911) ; and
9 August 30, 1935, section 7 (49 Stat. 1048).

10 SEC. 7. Section 5 of the Act approved June 28, 1938
11 (52 Stat. 1215), is amended by striking out the words "in
12 carrying out the purposes of this Act" and inserting in lieu
13 thereof the words "in carrying out the purposes of the Act
14 of June 22, 1936 (49 Stat. 1570), as amended and supple-
15 mented"; and by adding at the end of said section the follow-
16 ing sentence: "The provisions of this section shall be
17 applicable to any funds heretofore appropriated for the
18 prosecution by the Secretary of Agriculture of works of im-
19 provement for measures of run-off and waterflow retardation
20 and soil-erosion prevention upon watersheds."

21 SEC. 8. *That Section 2 of the Flood Control Act of*
22 *August 28, 1937, as amended is hereby further amended to*
23 *read as follows:*

24 "That the Secretary of War is hereby authorized to
25 allot not to exceed \$600,000 from any appropriations here-
26 tofore or hereafter made for any one fiscal year for flood

1 control, for removing accumulated snags and other debris
2 and clearing and straightening channels in navigable streams
3 and tributaries thereof, when in the opinion of the Chief of
4 Engineers such work is advisable in the interest of flood
5 control: Provided, That not more than \$25,000 shall be
6 allotted for this purpose for any single tributary from the
7 appropriations for any one fiscal year."

8 SEC. 8 9. That the sum of ~~\$260,000,000~~ \$275,000,000
9 is hereby authorized to be appropriated for carrying out
10 the improvements herein, the sum of \$10,000,000 addi-
11 tional is authorized to be appropriated and expended in equal
12 amounts by the Departments of War and Agriculture for
13 carrying out any examinations and surveys provided for in
14 this Act and any other Acts of Congress, to be prosecuted
15 by said departments, ~~and the additional sum of \$5,000,000~~
16 is authorized to be appropriated for expenditure by the
17 Department of Agriculture in carrying on works of improve-
18 ment of the character specified in section 7 of the Flood
19 Control Act of June 28, 1938. There is also hereby author-
20 ized to be appropriated for expenditure by the Department
21 of Agriculture in carrying on works of improvement of
22 the character specified in section 7 of the Flood Control Act
23 of June 28, 1938, and which the Department is not other-
24 wise authorized to undertake, such additional sums as may
25 be necessary for that purpose. All appropriations necessary

- 1 for operation and maintenance of flood-control works author-
- 2 ized by law to be operated and maintained by the United
- 3 States are hereby authorized.

Passed the House of Representatives June 20, 1941.

Attest:

SOUTH TRIMBLE,

Clerk.

77TH CONGRESS
1ST SESSION

H. R. 4911

[Report No. 575]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

JUNE 23, 1941

Referred to the Committee on Commerce

JULY 24, 1941

Reported with amendments

77TH CONGRESS
1ST SESSION

H. R. 4911



IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1941

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That hereafter Federal investigations and improvements of
4 rivers and other waterways for flood control and allied pur-
5 poses shall be under the jurisdiction of and shall be prose-
6 cuted by the War Department under the direction of the
7 Secretary of War and supervision of the Chief of Engineers,
8 and Federal investigations of watersheds and measures for
9 run-off and water-flow retardation and soil-erosion prevention
10 on watersheds shall be under the jurisdiction of and shall be
11 prosecuted by the Department of Agriculture under the

1 direction of the Secretary of Agriculture, except as other-
 2 wise provided by Act of Congress.

3 SEC. 2. That section 3 of the Act approved June 22,
 4 1936 (Public, Numbered 738, Seventy-fourth Congress),
 5 as amended by section 2 of the Act approved June 28, 1938
 6 (Public, Numbered 761, Seventy-fifth Congress), shall apply
 7 to all works authorized in this Act, except that for any
 8 channel improvement or channel rectification project provi-
 9 sions (a), (b), and (c) of section 3 of said Act of June
 10 22, 1936, shall apply thereto, and except as otherwise
 11 provided by law: *Provided*, That the third proviso of section
 12 1 of the Flood Control Act approved August 28, 1937
 13 (Public, Numbered 406, 75th Congress) and all of section
 14 8 of the Flood Control Act approved August 11, 1939,
 15 (Public, Numbered 396, 76th Congress) are hereby re-
 16 pealed: *Provided further*, That the authorization for any
 17 flood-control project heretofore or herein adopted requiring
 18 local cooperation shall expire five years from the date (1) of
 19 approval of this Act unless local on which local interests are
 20 notified in writing by the War Department of the require-
 21 ments of local cooperation, unless said interests shall within
 22 said time furnish assurances satisfactory to the Secretary of
 23 War that the required cooperation will be furnished: *And*
 24 *provided further*, That in any case where the total authoriza-
 25 tion for a project heretofore or hereafter authorized by Con-

gress is not sufficient to complete plans that may have been made the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations. The Chief of Engineers is also authorized in his discretion to modify the plan for any dam or other work heretofore or hereafter authorized so that such dam or work will be smaller than originally planned with a view to completing a useful improvement within an authorization: *Provided*, That the smaller structure shall be located on the chosen site so that it will be feasible at some future time to enlarge the work in order to permit the full utilization of the site for all purposes of conservation such as flood control, navigation, reclamation, the development of hydroelectric power, and the abatement of pollution.

SEC. 3. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized in the interest of national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective

1 reports hereinafter designated and subject to the conditions
2 set forth therein: *Provided*, That penstocks or other similar
3 facilities adapted to possible future use in the development
4 of hydroelectric power shall be installed in any dam herein
5 authorized when approved by the Secretary of War upon
6 the recommendation of the Chief of Engineers and of the
7 Federal Power Commission:

8 CONNECTICUT RIVER BASIN

9 In addition to previous authorizations, there is hereby
10 authorized to be appropriated the sum of \$6,000,000 for
11 local protection works and \$10,000,000 for reservoirs for the
12 prosecution of the comprehensive plan approved in the Act
13 of June 28, 1938, for the Connecticut River Basin, and such
14 comprehensive plan is hereby modified to include the works
15 recommended by the Chief of Engineers in House Document
16 Numbered 653, Seventy-sixth Congress, third session, and
17 House Document Numbered 724, Seventy-sixth Congress,
18 third session, with such further modifications as may be found
19 justifiable in the discretion of the Secretary of War and the
20 Chief of Engineers.

21 The Secretary of War is authorized to reimburse the
22 city of Hartford, Connecticut, the sum of \$252,000 hereto-
23 fore contributed to the United States by said city for the
24 realignment of the South Meadows section of the flood-
25 protection works in accordance with the plans contained
26 in House Document Numbered 653, Seventy-sixth Congress,

1 third session: *Provided*, That there shall be deducted from
2 the aforementioned sum any reimbursement which may be
3 made to said city pursuant to the provisions of section 1 of
4 the War Department Civil Appropriation Act, 1938,
5 approved July 19, 1937.

6 THAMES RIVER BASIN

7 The plan for a system of reservoirs and channel im-
8 provements in the Thames River Basin, Connecticut, Rhode
9 Island, and Massachusetts, in accordance with the recommen-
10 dation of the Chief of Engineers in House Document Num-
11 bered 885, Seventy-sixth Congress, third session, is ap-
12 proved, and there is hereby authorized \$6,000,000 for
13 initiation and partial accomplishment of the project.

14 PAWTUXET RIVER BASIN

15 The project for local flood protection on the North
16 Branch of Pawtuxet River at Clyde, Rhode Island, and for
17 the Pontiac diversion is hereby authorized to be constructed
18 substantially in accordance with the recommendation of the
19 Chief of Engineers in House Document Numbered 747,
20 Seventy-sixth Congress, third session, at an estimated cost
21 of \$1,320,000.

22 HUDSON RIVER BASIN

23 The projects adopted by the Act of June 22, 1936, to
24 provide for local flood-protection works in the Hoosic River
25 Basin at North Adams in Massachusetts: at Hoosick Falls,

1 New York, and at Bennington, Vermont, are hereby modi-
2 fied and extended to include the town of Adams, Massa-
3 chusetts, in accordance with the recommendation of the Chief
4 of Engineers in House Document Numbered 182, Seventy-
5 sixth Congress, first session, and are authorized to be con-
6 structed substantially in accordance with said recommenda-
7 tion at an estimated cost of \$2,170,000.

8 LAKE CHAMPLAIN BASIN

9 The project for local flood protection on the Winooski
10 River at Waterbury, Vermont, is hereby authorized to be
11 constructed substantially in accordance with the recommenda-
12 tion of the Chief of Engineers in House Document Num-
13 bered 656, Seventy-sixth Congress, third session, at an
14 estimated cost of \$880,000.

15 The project adopted by the Act of June 22, 1936, to
16 provide for local flood-protection works on Otter Creek at
17 Rutland, Vermont, is hereby modified in accordance with the
18 recommendation of the Chief of Engineers in Senate Docu-
19 ment Numbered 171, Seventy-sixth Congress, third session,
20 and is authorized to be constructed substantially in accord-
21 ance with said recommendation at an estimated cost of
22 \$308,000.

23 OSWEGO RIVER BASIN

24 The projects for flood control and other purposes at
25 Canandaigua, Keuka, and Owasco Lakes, and at Hammonds-

1 port, Watkins Glen, Montour Falls, Ithaca, and Syracuse,
 2 New York, are hereby authorized to be constructed substan-
 3 tially in accordance with the recommendation of the Chief
 4 of Engineers in House Document Numbered 846, Seventy-
 5 sixth Congress, third session, at an estimated cost of
 6 \$3,220,000.

7 **(2)** *BUFFALO RIVER BASIN*

8 *The project for local flood protection on Cayuga Creek*
 9 *at Lancaster, New York, is hereby authorized to be con-*
 10 *structed substantially in accordance with the recommendation*
 11 *of the Chief of Engineers in House Document Numbered*
 12 *326, Seventy-seventh Congress, first session, at an estimated*
 13 *cost of \$575,000.*

14 **SUSQUEHANNA RIVER BASIN**

15 The project adopted by the Act of June 22, 1936,
 16 to provide for local flood-protection works on the Susque-
 17 hanna River at Sunbury, Pennsylvania, is hereby modified
 18 in accordance with the recommendation of the Chief of
 19 Engineers in House Document Numbered 366, Seventy-
 20 sixth Congress, first session, and is authorized to be con-
 21 structed substantially in accordance with said recommenda-
 22 tion at an estimated cost of \$1,900,000.

23 **(3)** *The project for flood control in the Susquehanna River*
 24 *Basin in southern New York and eastern Pennsylvania*
 25 *adopted by the Act of June 22, 1936, is hereby modified to*

1 *include and authorize the construction of the Stillwater Reser-*
 2 *voir on the Lackawanna River, Pennsylvania, for flood*
 3 *control and other purposes in accordance with plans now in*
 4 *the Office of the Chief of Engineers at an estimated cost to*
 5 *the United States of \$2,420,000.*

6

DELAWARE RIVER BASIN

7 The project for local flood protection on Rancocas Creek
 8 in the vicinity of Mount Holly, New Jersey, is hereby au-
 9 thorized to be constructed substantially in accordance with
 10 the recommendation of the Chief of Engineers in House
 11 Document Numbered 128, Seventy-seventh Congress, first
 12 session, at an estimated cost of \$300,000.

13

(4) NEUSE RIVER BASIN

14 *The project for local flood protection on the Neuse River*
 15 *in the vicinity of Goldsboro, North Carolina, is hereby author-*
 16 *ized to be constructed substantially in accordance with the*
 17 *recommendation of the Chief of Engineers in House Docu-*
 18 *ment Numbered 327, Seventy-seventh Congress, first session,*
 19 *at an estimated cost of \$40,000.*

20

MOBILE RIVER BASIN

21 The project for local flood protection at Prattville,
 22 Alabama, on Autauga Creek, a tributary of the Alabama-
 23 Coosa River, is hereby authorized to be constructed sub-
 24 stantially in accordance with the recommendation of the

1 Chief of Engineers in House Document Numbered 657,
2 Seventy-sixth Congress, third session, at an estimated cost
3 of \$530,000.

4 The plan for the Allatoona Reservoir on the Etowah
5 River in the Coosa River Basin, Georgia, for flood control
6 and other purposes in accordance with the recommendation
7 of the Chief of Engineers in House Document Numbered
8 674, Seventy-sixth Congress, third session, is approved and
9 there is hereby authorized \$3,000,000 for initiation and
10 partial accomplishment of the project.

11 The project for flood control on the Tombigbee River
12 authorized by the Act of June 22, 1936, is hereby modified
13 to provide for additional channel improvements and related
14 works for flood control for the Tombigbee River and tribu-
15 taries above the mouth of and including the Noxubee River
16 in accordance with plans approved by the Chief of Engineers
17 at an estimated cost of \$150,000.

18 **(5)** *BAYOU TECHE AND VERMILION RIVER*

19 *The project for the improvement of Bayou Teche and*
20 *the Vermilion River, Louisiana, is hereby authorized to be*
21 *constructed substantially in accordance with the recommenda-*
22 *tions of the Chief of Engineers in House Document Num-*
23 *bered 328, Seventy-seventh Congress, first session, at an esti-*
24 *mated cost of \$1,390,000.*

(6) *MERMENTAU RIVER BASIN*

2 *The project for the improvement of the Mermentau River*
3 *in Louisiana for flood control is hereby authorized to be*
4 *constructed substantially in accordance with the recommenda-*
5 *tions of the Chief of Engineers in House Document Num-*
6 *bered 329, Seventy-seventh Congress, first session, at an*
7 *estimated cost of \$970,000.*

COLORADO RIVER BASIN (TEXAS)

9 The plan for improvement of the Lower Colorado River,
10 Texas, for flood control in accordance with the recommenda-
11 tion of the Chief of Engineers in House Document Numbered
12 312, Seventy-sixth Congress, first session, is approved and
13 there is hereby authorized \$6,500,000 for the construction
14 of the project.

The plan for San Angelo Reservoir for flood control and other purposes on the North Concho River, Texas, and for local flood-protection works at San Angelo, Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 315, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$2,000,000 for initiation and partial accomplishment of the project.

The plan for Hords Creek Reservoir and for enlargement of the existing Lake Brownwood Reservoir for flood control and other purposes on Pecan Bayou and its tribu-

1 taries in Texas, in accordance with the recommendation of
2 the Chief of Engineers in House Document Numbered 370,
3 Seventy-sixth Congress, first session, is approved and there
4 is hereby authorized \$1,400,000 for initiation and partial
5 accomplishment of the project, including \$460,000 for the
6 Hords Creek Reservoir.

7 The project for local flood protection on Brady Creek at
8 Brady, Texas, is hereby authorized to be constructed sub-
9 stantially in accordance with the recommendation of the Chief
10 of Engineers in House Document Numbered 441, Seventy-
11 sixth Congress, first session, at an estimated cost of \$825,000.

12 BRAZOS RIVER BASIN

13 The plan for Whitney Reservoir on the Brazos River
14 in Texas, for flood control and other purposes in accordance
15 with the recommendation of the Chief of Engineers in House
16 Document Numbered 390, Seventy-sixth Congress, first
17 session, is approved and there is hereby authorized \$5,000,-
18 000 for the initiation and partial accomplishment of the
19 project.

20 LOWER MISSISSIPPI RIVER

21 The project for flood control of the Lower Mississippi
22 River adopted by the Act of May 15, 1928, as amended by
23 the Act of June 15, 1936, as amended by the Acts of
24 August 28, 1937, and June 28, 1938, is hereby modified
25 and, as modified, is hereby authorized and adopted, and

1 the Flood Control Act of June 15, 1936, as amended, is
2 amended as follows:

3 (a) The existing engineering plan for flood control in
4 the alluvial valley of the Mississippi River is hereby modified
5 so as to provide for the construction of plan 4 as set forth
6 in the report of the Mississippi River Commission, dated
7 March 7, 1941, to the Chief of Engineers, except that the
8 levees in the Yazoo Basin on the east bank of the Mississippi
9 River south of the Coahoma-Bolivar County line in said
10 plan shall have a three-foot freeboard over the project flood,
11 and all levees shall be constructed with adequate section and
12 foundation to conform to increased levee heights. The Boeuf
13 Floodway in the project adopted by the Act of May 15,
14 1928, and the Eudora Floodway as well as the Northward
15 Extension and the back protection levee extending from the
16 head of the said Eudora Floodway north to the Arkansas
17 River in the project adopted by the Act of June 15, 1936,
18 as amended, are hereby abandoned, and the provisions of
19 said Acts relating to the prosecution of work on said flood-
20 ways and extension are hereby repealed.

21 (b) The project for flood control of the Yazoo River
22 shall be as authorized by the Flood Control Act approved
23 June 15, 1936, as amended by section 2 of the Act ap-
24 proved June 28, 1938, except that the Chief of Engineers
25 may, in his discretion, from time to time, substitute therefor

1 combinations of reservoirs, levees, and channel improve-
2 ments; and except that the ~~(7)improvements~~ *extension of the*
3 *authorized project and improvements* contemplated in plan
4 C of the report of March 7, 1941, of the Mississippi
5 River Commission are authorized, including the extension of
6 the levee on the east bank of the Mississippi River generally
7 along the west bank of the Yazoo River to a connection in
8 the vicinity of Yazoo City with the Yazoo River levee,
9 authorized by the existing project for protection against
10 headwater floods of the Yazoo River system, and the adjust-
11 ment in the discretion of the Chief of Engineers of the grades
12 of the existing levees in the backwater area on the east
13 bank of Yazoo River below Yazoo City, all at an estimated
14 additional cost of \$11,982,000: *Provided*, That the Chief
15 of Engineers shall fix the grade of the extension levees along
16 the Yazoo River, with higher levees in his discretion, so
17 that their construction will give the maximum practical
18 protection without jeopardizing the safety and integrity of
19 the main Mississippi River levees: *And provided further*,
20 That prior to the beginning of construction local authorities
21 shall furnish satisfactory assurances that they will (1) main-
22 tain the levees in accordance with the provisions of section 3
23 of the Act of May 15, 1928, and will (2) not raise the
24 levees in the backwater above the limiting elevations estab-
25 lished therefor by the Chief of Engineers.

1 (c) ~~(8)~~The *In the development of the authorized project,*
 2 *the construction of a levee and improvements contemplated*
 3 *in the report of March 7, 1941, of the Mississippi River*
 4 *Commission from the main-line levee on the west bank*
 5 *of the Mississippi River in the vicinity of Shaw, Louisiana,*
 6 *westward and northward to the vicinity of Newlight,*
 7 *Louisiana, for the protection of that part of the Red River*
 8 *backwater known as the Tensas-Cocodrie area at an esti-*
 9 *mated cost of \$6,976,000 is hereby authorized: Provided,*
 10 *That the Chief of Engineers shall fix the grade of said*
 11 *levee, with a higher levee in his discretion, so that its con-*
 12 *struction will give the maximum practical protection without*
 13 *jeopardizing the safety and integrity of the main Mississippi*
 14 *River levees: And provided further, That prior to the begin-*
 15 *ning of construction local authorities shall furnish satisfactory*
 16 *assurances that they will (1) maintain the levee in accord-*
 17 *ance with the provisions of section 3 of the Act of May 15,*
 18 *1928, and will (2) not raise the said levee above the limiting*
 19 *elevations established therefor by the Chief of Engineers(9):*
 20 *Provided further, That subject to the foregoing conditions of*
 21 *local cooperation the Chief of Engineers may in his discre-*
 22 *tion substitute other levees and appurtenant works for, or*
 23 *make such modifications of, the levees and improvements*
 24 *herein authorized for the protection of the Tensas-Cocodrie*
 25 *area as may be found after further investigation to afford*

1 *protection to a larger area in the Red River Backwater at a*
2 *total cost not to exceed \$14,000,000 and without jeopardizing*
3 *the safety and integrity of the main Mississippi River levees*
4 *and without jeopardizing the diversion contemplated in the*
5 *adopted project through the Atchafalaya Basin.*

6 (d) The Chief of Engineers, with approval of the Sec-
7 retary of War, shall reimburse local authorities for actual
8 expenditures found by the Chief of Engineers to be reason-
9 able, for providing at the request of the United States, in
10 accordance with local legal procedure or custom, rights-of-
11 way and flowage easements required for future setbacks of
12 main-line Mississippi River levees.

13 (e) The existing engineering plan for flood control of
14 the Saint Francis River is hereby modified so as to permit
15 the substitution for the suspended portions of the original
16 project below Oak Donnick, Arkansas, of the construction
17 of a ditch in Cross County, Arkansas, beginning in the vicin-
18 ity of the outlet end of the existing Oak Donnick to Saint
19 Francis Bay floodway and terminating in Saint Francis Bay
20 about two miles north of Riverfront, including the construc-
21 tion of a highway bridge at State Highway Numbered 42
22 made necessary by the ditch construction: *Provided*, That
23 local interests give assurances satisfactory to the Secretary
24 of War that they will (1) provide without cost to the United
25 States all lands, easements, and rights-of-way necessary for

1 the construction; (2) hold and save the United States free
 2 from damages due to the construction works; and (3) main-
 3 tain the works after completion in accordance with regula-
 4 tions prescribed by the Secretary of War.

5 ~~(10)~~(f) *In the development of the authorized project, the*
 6 *construction of improvements for Bayou Rapides, Boeuf,*
 7 *and Cocodrie, Louisiana, contemplated in the report dated*
 8 *March 24, 1941, of the Special Board of Officers at an esti-*
 9 *mated cost of \$2,600,000 is hereby authorized.*

10 ~~(11)~~~~(f)~~ (g) The total authorizations heretofore made for the
 11 flood control project of the alluvial valley of the Mississippi
 12 River shall not be increased by reason of any provision in
 13 this Act, except for the additional amounts necessary for the
 14 Yazoo and Red River backwater improvements, and any
 15 appropriations heretofore or hereafter made or authorized for
 16 said project as herein or heretofore modified may be ex-
 17 pended upon any feature of the said project, notwithstanding
 18 any restrictions, limitations, or requirements of existing law:
 19 *Provided, That funds hereafter expended for maintenance*
 20 *shall not be considered as reducing present remaining bal-*
 21 *ances of authorizations.*

22 ~~(12)~~(h) *Any officer of the Corps of Engineers who has*
 23 *served or shall serve four years as President of the Mississippi*
 24 *River Commission and who has been or shall subsequently*

1 *be retired, shall, from the date of such retirement, receive*
 2 *the rank, pay, and allowances of a retired major general.*

3 The project for flood control on the Homochitto River
 4 in Mississippi, authorized by the Act of June 22, 1936
 5 (Public, Numbered 738, Seventy-fourth Congress), and
 6 modified by the Act of June 28, 1938 (Public, Numbered
 7 761, Seventy-fifth Congress), is hereby further modified to
 8 provide for additional channel improvements and related
 9 works for flood control on the Homochitto River and tribu-
 10 taries in accordance with plans approved by the Chief of
 11 Engineers, and for the execution of these plans there is hereby
 12 authorized \$50,000.

13 RED-OUACHITA RIVER BASIN

14 The project for local flood protection on the Ouachita
 15 River near Calion, Arkansas, is hereby authorized to be con-
 16 structed substantially in accordance with the recommendation
 17 of the Chief of Engineers in House Document Numbered
 18 427, Seventy-sixth Congress, first session, at an estimated
 19 cost of \$50,000.

20 The project for local protection on the Red River in
 21 Grant Parish below Colfax, Louisiana, authorized by the Act
 22 approved June 28, 1938, is hereby amended to add and
 23 authorize the following: Levee enlargement, new levee ex-
 24 tension, and the construction of appurtenant drainage struc-

1 tures on the left bank of the Red River opposite Alexandria
2 for the protection of Pineville, Louisiana, and vicinity, at an
3 estimated cost to the United States of \$159,100, subject to
4 the provisions of section 3 of the Act approved June 22,
5 1936.

6 The project for local flood protection on the Red River
7 in Grant Parish below Colfax, Louisiana, authorized by the
8 Act approved June 28, 1938, is hereby further amended
9 to include and to authorize the following: Levees and appur-
10 tenant drainage works on the left bank of the Red River
11 and along Bayous Darrow and Rigolette, the improvement
12 of the channel of Bayou Rigolette, and the separation of
13 the channels of Bayous Darrow and Rigolette in the Aloha-
14 Rigolette area, Grant and Rapides Parish, Louisiana, all at
15 an estimated cost to the United States of \$914,500, subject
16 to the provisions of section 3 of the Flood Control Act
17 approved June 22, 1936.

18 *(13) The project for the Bayou Bodcau Reservoir, Louisiana,*
19 *authorized by the Act of June 22, 1936, as modified by*
20 *the Acts of June 28, 1938, and June 28, 1939, is hereby*
21 *further modified to include and to authorize channel im-*
22 *provements below the reservoir on Bayou Bodcau, Red Chute,*
23 *and Loggy Bayou at an estimated cost of \$198,000, subject*
24 *to the provisions of Section 3 of the Flood Control Act*
25 *approved June 22, 1936.*

The plan for the Narrows Reservoir for flood control and other purposes on the Little Missouri River, Arkansas, and for local flood protection on the main river below Murfreesboro and on the Terre Noire and Ozan Creeks, substantially in accordance with recommendation of the Chief of Engineers in House Document Numbered 837, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$3,000,000 for initiation and partial accomplishment of the project.

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$24,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the White River Basin in Missouri and Arkansas, including the projects for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 917, Seventy-sixth Congress, third session, and the modifications in the Norfolk Reservoir project recommended by the Chief of Engineers (14) *in House Document Numbered 290, Seventy-seventh Congress, first session.*

The projects for local flood protection on the White River, on the east side between Augusta and Clarendon, Arkansas, and at the town of De Valls Bluff, Arkansas, are hereby authorized to be constructed substantially in accord-

1 ance with the recommendation of the Chief of Engineers in
2 House Document Numbered 98, Seventy-sixth Congress,
3 first session, at an estimated cost of \$2,847,500.

4 ARKANSAS RIVER BASIN

5 The general comprehensive plan for flood control and
6 other purposes, approved by the Act of June 28, 1938, for
7 the Arkansas River Basin, is hereby modified to include the
8 reservoirs in the Grand (Neosho) River Basin in Oklahoma
9 and Missouri, and in the Verdigris River Basin in Kansas,
10 in accordance with the recommendations of the Chief of
11 Engineers in House Documents Numbered 107 and 440 of
12 the Seventy-sixth Congress, first session. In addition to
13 previous authorizations, there is hereby authorized to be
14 appropriated the sum of \$29,000,000 for the prosecution of
15 said comprehensive plan.

16 The project for local flood protection on the Salt Fork
17 of the Arkansas River in the vicinity of Cherokee, Oklahoma,
18 is hereby authorized to be constructed substantially in ac-
19 cordance with the recommendation of the Chief of Engineers
20 in House Document Numbered 480, Seventy-sixth Congress,
21 second session, at an estimated cost of \$800,000.

22 The project for local flood protection along the south
23 bank of the Arkansas River between Little Rock and Pine
24 Bluff, Arkansas, is hereby authorized to be constructed sub-
25 stantially in accordance with the recommendation of the

1 Chief of Engineers in House Document Numbered 718,
2 Seventy-sixth Congress, third session, at an estimated cost
3 of \$641,000, with such modifications as may be advisable
4 in the discretion of the Secretary of War and the Chief of
5 Engineers.

6 The project for local flood protection along the north
7 bank of the Arkansas River in the Crawford County Levee
8 District, Arkansas, is hereby authorized to be constructed
9 substantially in accordance with the recommendation of the
10 Chief of Engineers in House Document Numbered 720,
11 Seventy-sixth Congress, third session, at an estimated cost
12 of \$284,000.

13 The project for local flood protection on both sides of
14 the Arkansas River in the immediate vicinity of Tulsa and
15 West Tulsa, Oklahoma, is hereby authorized to be con-
16 structed substantially in accordance with the recommendation
17 of the Chief of Engineers in House Document Numbered
18 157, Seventy-seventh Congress, first session, at an estimated
19 cost of \$513,000.

20 OHIO RIVER BASIN

21 In addition to previous authorizations, there is hereby
22 authorized to be appropriated the sum of \$45,000,000 for
23 the prosecution of the comprehensive plan approved in the
24 Act of June 28, 1938, for the Ohio River Basin, modified to
25 include the Allegheny Reservoir project in accordance with

1 the recommendation of the Chief of Engineers in House
2 Document Numbered 300, Seventy-sixth Congress, first
3 session.

4 (15) *The project for local flood protection on the Licking River*
5 *at Salyersville, Kentucky, is hereby authorized to be con-*
6 *structed substantially in accordance with the recommendations*
7 *of the Chief of Engineers in House Document Numbered 261,*
8 *Seventy-seventh Congress, first session, at an estimated cost*
9 *of \$174,000.*

10

TENNESSEE RIVER BASIN

11 The projects for local flood protection on the Tennessee
12 River at Chattanooga, Tennessee, and Rossville, Georgia, are
13 hereby authorized to be constructed substantially in accord-
14 ance with the recommendation of the Chief of Engineers
15 in House Document Numbered 479, Seventy-sixth Congress,
16 second session, at an estimated cost of \$13,500,000.

17

UPPER MISSISSIPPI RIVER BASIN

18 The project adopted by the Act of June 22, 1936, for
19 the Dry Run Reservoir near Decorah, Iowa, is hereby modi-
20 fied to authorize the Chief of Engineers to modify the project
21 so as to provide protection by diversion of floodwaters in
22 accordance with revised plans now on file in his office, at
23 an estimated Federal cost of \$460,000.

24

SEBEWAING RIVER

25 The project for local flood protection on the Sebewaing
26 River in the vicinity of Sebewaing, Michigan, is hereby

1 authorized to be constructed substantially in accordance with
2 the recommendation of the Chief of Engineers in House
3 Document Numbered 286, Seventy-sixth Congress, first ses-
4 sion, at an estimated cost of \$250,000.

5 MISSOURI RIVER BASIN

6 In addition to previous authorizations, there is hereby
7 authorized to be appropriated the sum of \$7,000,000 for the
8 prosecution of the comprehensive plan approved in the Act
9 of June 28, 1938, for the Missouri River Basin, including
10 the project for the Harlan County Reservoir on the Repub-
11 lican River, Nebraska, recommended by the Chief of En-
12 gineers in House Document Numbered 842, Seventy-sixth
13 Congress, third session, and such other supplemental flood-
14 control works on the Republican River as the Secretary of
15 War and the Chief of Engineers may find advisable.

16 The comprehensive plan for the improvement of Cherry
17 Creek and tributaries, Colorado, for flood control and other
18 purposes in accordance with the recommendations of the
19 Chief of Engineers in House Document Numbered 426,
20 Seventy-sixth Congress, first session, is approved and there
21 is hereby authorized \$3,000,000 for the initiation and partial
22 accomplishment of the project.

23 The project for local flood protection on the Platte River
24 in the vicinity of Schuyler, Nebraska, is hereby authorized
25 to be constructed substantially in accordance with the recom-

1 mendment of the Chief of Engineers in House Document
2 Numbered 250, Seventy-sixth Congress, first session, at an
3 estimated cost of \$63,000.

4 The project for local flood protection on the Missouri
5 River and Indian Creek at Council Bluffs, Iowa, is hereby
6 authorized to be constructed substantially in accordance with
7 the recommendation of the Chief of Engineers in House
8 Document Numbered 577, Seventy-sixth Congress, third
9 session, at an estimated cost of \$18,000.

10 The project for the improvement of Fall River and
11 tributaries, South Dakota, for flood control is hereby author-
12 ized to be constructed substantially in accordance with the
13 recommendation of the Chief of Engineers in House Docu-
14 ment Numbered 655, Seventy-sixth Congress, third session,
15 at an estimated cost of \$1,050,000.

16 The project for flood protection in the vicinity of Sioux
17 City, Iowa, and along both banks of the Missouri River be-
18 tween Sioux City and Kansas City for flood control in ac-
19 cordance with the recommendation of the Chief of Engineers
20 in House Document Numbered 821, Seventy-sixth Congress,
21 third session, is approved and there is hereby authorized
22 \$1,000,000 for the initiation and partial accomplishment
23 thereof (16): *Provided, That such project is hereby modified*
24 *by eliminating the requirement that the States having a com-*
25 *mon boundary on the Missouri River shall, as a condition*
26 *precedent to the initiation of construction along that portion*

1 *of the river, establish by interstate compact floodway boundary*
 2 *lines and floodway regulations satisfactory to the Secretary of*
 3 *War:*

4 (17)The project adopted by the Act of June 22, 1936, to
 5 provide flood protection of the Kansas Citys, Kansas and
 6 Missouri, is hereby modified to include cut-offs in the vicinity
 7 of Liberty Bend substantially in accordance with the recom-
 8 mendation of the Chief of Engineers in House Document
 9 Numbered 722, Seventy-sixth Congress, third session.

10

SANTA ANA RIVER BASIN

11 In addition to previous authorizations, there is hereby
 12 authorized to be appropriated the sum of \$2,500,000 for
 13 the prosecution of the projects approved in the Acts of June
 14 22, 1936, and June 28, 1938, for flood control in the Santa
 15 Ana River Basin and for the protection of Orange County in
 16 California.

17

LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA

18

CREEK

19 The general comprehensive plan for flood control and
 20 other purposes in the basins of the Los Angeles and San
 21 Gabriel Rivers and Ballona Creek as set forth in House
 22 Document Numbered 838, Seventy-sixth Congress, third
 23 session, is approved, and in addition to previous authoriza-
 24 tions there is hereby authorized \$25,000,000 for the partial
 25 accomplishment of that plan.

1 SACRAMENTO-SAN JOAQUIN RIVER BASIN

2 The projects for the control of floods and other pur-
3 poses in the Sacramento River, California, adopted by the
4 Acts approved March 1, 1917, May 15, 1928, and August
5 26, 1937, are hereby modified substantially in accordance
6 with the recommendation of the Chief of Engineers in House
7 Document Numbered 205, Seventy-seventh Congress, first
8 session, at an estimated cost of \$10,500,000, and also modi-
9 fied to provide for channel clearing, rectification, snagging,
10 and bank protection on the Sacramento River and tribu-
11 taries in Tehama County, and from Red Bluff southerly,
12 at an additional estimated cost of \$150,000.

13 The project for the Fresno County Stream Group for
14 flood control is hereby authorized to be constructed sub-
15 stantially in accordance with the recommendations of the
16 Chief of Engineers in House Document Numbered 845,
17 Seventy-sixth Congress, third session, at an estimated cost
18 of \$510,000.

19 UMPQUA RIVER BASIN

20 The project for improvement of the Umpqua River in
21 Oregon for flood control is hereby authorized to be con-
22 structed substantially in accordance with the recommenda-
23 tion of the Chief of Engineers in House Document Numbered
24 684, Seventy-sixth Congress, third session, at an estimated
25 cost of \$176,000.

(18) YAQUINA RIVER BASIN

The project for local flood protection on the Yaquina River in the Mill Four District, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 304, Seventy-seventh Congress, first session, at an estimated cost of \$72,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$11,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Willamette River Basin in Oregon.

The project for improvement of the Pudding River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 185, Seventy-sixth Congress, third session, at an estimated cost of \$62,000.

COLUMBIA RIVER BASIN

The project for local flood protection on the Touchet River at Dayton, Washington, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document

1 Numbered 662, Seventy-sixth Congress, third session, at an
2 estimated cost of \$146,000.

3 The project for levees, channel enlargement, and channel
4 rectification on Walla Walla River in the vicinity of Milton
5 and Freewater, Oregon, is hereby authorized to be constructed
6 substantially in accordance with the recommendation of the
7 Chief of Engineers in House Document Numbered 719,
8 Seventy-sixth Congress, third session, and the project for the
9 protection of the city of Walla Walla, Washington, author-
10 ized by the Act approved June 28, 1938, is hereby modified
11 in accordance with the recommendations of the Chief of
12 Engineers, in House Document Numbered 719, Seventy-
13 sixth Congress, third session, at an estimated cost of \$754,000.

14 The project for levees on the Cowlitz River, Washing-
15 ton, for local flood protection at Castle Rock, Washington, is
16 hereby authorized to be constructed substantially in accord-
17 ance with the recommendation of the Chief of Engineers in
18 House Document Numbered 721, Seventy-sixth Congress,
19 third session, at an estimated cost of \$31,000.

20 (19) *The project for local flood protection on Birch Creek in*
21 *the vicinity of Pilot Rock, Oregon, is hereby authorized to*
22 *be constructed substantially in accordance with the recom-*
23 *mendation of the Chief of Engineers in Senate Document*
24 *Numbered 89, Seventy-seventh Congress, first session, at an*
25 *estimated cost of \$34,000.*

1 SEC. 4. The Secretary of War is hereby authorized and
 2 directed to cause preliminary examinations and surveys for
 3 flood control, ~~(20)including floods aggravated by or due to~~
 4 ~~tidal effect at the following-named localities, to be made under~~
 5 *the direction of the Chief of Engineers, in drainage areas of*
 6 *the United States and its territorial possessions, which include*
 7 *the following-named localities,* and the Secretary of Agricul-
 8 ture is authorized and directed to cause preliminary examina-
 9 tions and surveys for run-off and water-flow retardation and
 10 soil-erosion prevention on ~~(21)the watersheds of such~~
 11 ~~(22)localities drainage areas;~~ the cost thereof to be paid from
 12 appropriations heretofore or hereafter made for such purposes
 13 ~~(23):~~ *Provided, That no preliminary examination, survey,*
 14 *project, or estimate for new works other than those designated*
 15 *in this or some prior Act or joint resolution shall be made:*
 16 *Provided (24)further, That after the regular or formal re-*
 17 *ports made (25)as hereby authorized on any examination,*
 18 *survey, project, or work under way or proposed are submitted*
 19 *to Congress, no supplemental or additional report or estimate*
 20 *shall be made unless authorized by law (26) or by resolution*
 21 *of the Committee on Flood Control of the House of Represen-*
 22 *tatives or the Committee on Commerce of the Senate: except*
 23 *that the Secretary of War may cause a review of any exam-*
 24 *ination or survey to be made and a report thereon submitted*
 25 *to the Congress if such review is required by the national*

1 *defense or by changed physical or economic conditions: And*
 2 *provided further, That the Government shall not be deemed*
 3 *to have entered upon any project for the improvement of*
 4 *any waterway (27) or harbor mentioned in this Act until*
 5 *the project for the proposed work shall have been adopted*
 6 *by law.*

7 (28) *Barren River, Kentucky and Tennessee, with special*
 8 *reference to a dam in the vicinity of a site known as Barren*
 9 *No. 2.*

10 Byram River and tributaries, Connecticut.

11 Blind Brook and tributaries, New York.

12 Mamaroneck and Sheldrake Rivers and their tributaries,
 13 New York.

14 Bronx River and tributaries, New York.

15 Hutchinson River and tributaries, New York.

16 Saw Mill River and tributaries, New York.

17 Garden Creek, Mathews County, Virginia.

18 Indian River, Upper Saint Johns River and Marsh, and
 19 North Fork, Saint Lucie River, and their tributaries, (29) *the*
 20 *Kissimmee River and its tributaries, and Upper Saint Johns*
 21 *River and its tributaries, Florida.*

22 (30) *Red River in the vicinity of Shreveport, Louisiana, with*
 23 *a view to determining the advisability of providing bank-*
 24 *protection works.*

25 (31) *Polecat Creek, Creek County, Oklahoma.*

- 1 (32) *Walnut Creek, Love and Carter Counties, Oklahoma.*
- 2 Rio Grande and tributaries, New Mexico.
- 3 Mimbres River and tributaries, New Mexico.
- 4 Pearl River, Mississippi.
- 5 Lake Pontchartrain, Louisiana, from the Orleans-Jefferson
- 6 son Parish line westward and northward to the vicinity of
- 7 Frenier.
- 8 Black River, Catahoula and Concordia Parishes, Louisiana.
- 9
- 10 Dogy and Clear Creeks, tributaries of the Arkansas
- 11 River, Oklahoma.
- 12 Salt Creek of the Arkansas River and tributaries, Osage
- 13 County, Oklahoma.
- 14 Red River of the North Drainage Basin, Minnesota,
- 15 South Dakota, and North Dakota.
- 16 Inlets and outlets to Lake Hendricks, South Dakota and
- 17 Minnesota.
- 18 North Fork and South Fork of the Shoshone River and
- 19 their tributaries, Wyoming.
- 20 Emery River and tributaries, Tennessee.
- 21 Redstone and Dunlap Creeks and tributaries, Pennsylvania.
- 22
- 23 West Fork River and tributaries, West Virginia, with a
- 24 view to determining the advisability of constructing a system
- 25 of multiple-use reservoirs.

- 1 Milwaukee River and tributaries, Wisconsin.
- 2 Little Calumet River and tributaries, Indiana.
- 3 Little Black River and tributaries, Michigan.
- 4 Sturgeon and Otter Rivers, and their tributaries, Mich-
- 5 igan.
- 6 Cuyahoga River and tributaries, Ohio.
- 7 Big Sur River and Carmel River, and their tributaries,
- 8 Monterey County, California.
- 9 Laguna Canyon, California.
- 10 All streams in San Diego County, California, flowing
- 11 into the Pacific Ocean.
- 12 All streams in San Diego and Imperial Counties, Cali-
- 13 fornia, flowing into the Salton Sea.
- 14 Coyote River and tributaries, California.
- 15 San Francisquito Creek, San Mateo and Santa Clara
- 16 Counties, California.
- 17 Alhambra Creek and tributaries, California.
- 18 Matadero Creek, Santa Clara County, California.
- 19 Novato Creek and its tributaries, Marin County, Cali-
- 20 fornia.
- 21 Petaluma Creek and tributaries, Sonoma County, Cali-
- 22 fornia.
- 23 Guadalupe River and tributaries, California.
- 24 Silvies River and tributaries, Oregon.
- 25 Columbia River and tributaries, Washington, from the

1 downstream point of Vancouver Lake to upstream point of
2 Bachelor Island.

3 Salmon Creek, in the vicinity of Juneau, Alaska.

4 Yaguez, Estero, Portuguez, Bucana, Lapa, Guamani,
5 Chico, Maunabo, Quebrada Arena, and Susua Rivers, and
6 tributaries, Puerto Rico.

7 Creque Gut and Fair Plain Gut and their tributaries,
8 Island of Saint Croix, and of Turpentine Run, and Crown
9 Mountain water courses and their tributaries, Island of Saint
10 Thomas, Virgin Islands.

11 SEC. 5. That the Secretary of War is hereby authorized
12 to allot, from any appropriations heretofore or hereafter made
13 for flood control, not to exceed \$1,000,000 for any one fiscal
14 year to be expended in rescue work or in the repair or main-
15 tenance of any flood-control work threatened or destroyed
16 by flood.

17 SEC. 6. That the provisions of the following Acts of
18 Congress relating to river and harbor improvements are
19 hereby made applicable to works of flood control heretofore
20 or hereafter authorized: August 8, 1917, section 9 (40 Stat.
21 267) ; July 18, 1918, sections 5 and 6 (40 Stat. 911) ; and
22 August 30, 1935, section 7 (49 Stat. 1048).

23 (33) SEC. 7. *That 25 per centum of all moneys received and*
24 *deposited in the Treasury of the United States during any*
25 *fiscal year on account of the leasing of lands acquired by*

1 *the United States for flood control purposes shall be paid,*
 2 *at the end of such year, by the Secretary of the Treasury*
 3 *to the State in which such property is situated, to be expended*
 4 *as the State legislature may prescribe for the benefit of the*
 5 *public schools and public roads of the county or counties*
 6 *in which such property is situated: Provided, That when*
 7 *such property is situated in more than one State or county*
 8 *the distributive share to each from the proceeds of such*
 9 *property shall be proportional to its area therein.*

10 SEC. (34)7 8. Section 5 of the Act approved June 28,
 11 1938 (52 Stat. 1215), is amended by striking out the words
 12 "in carrying out the purposes of this Act" and inserting in lieu
 13 thereof the words "in carrying out the purposes of the Act
 14 of June 22, 1936 (49 Stat. 1570), as amended and supple-
 15 mented"; and by adding at the end of said section the follow-
 16 ing sentence: "The provisions of this section shall be
 17 applicable to any funds heretofore appropriated for the
 18 prosecution by the Secretary of Agriculture of works of im-
 19 provement for measures of run-off and waterflow retardation
 20 and soil-erosion prevention upon watersheds."

21 (35)SEC. 9. *That Section 2 of the Flood Control Act of*
 22 *August 28, 1937, as amended is hereby further amended to*
 23 *read as follows:*

24 *"That the Secretary of War is hereby authorized to*
 25 *allot not to exceed \$600,000 from any appropriations here-*

1 tofore or hereafter made for any one fiscal year for flood
 2 control, for removing accumulated snags and other debris
 3 and clearing and straightening channels in navigable streams
 4 and tributaries thereof, when in the opinion of the Chief of
 5 Engineers such work is advisable in the interest of flood
 6 control: Provided, That not more than \$25,000 shall be
 7 allotted for this purpose for any single tributary from the
 8 appropriations for any one fiscal year."

9 SEC. (36)§ 10. That the sum of (37)\$250,000,000
 10 \$275,000,000 is hereby authorized to be appropriated for
 11 carrying out the improvements herein, the sum of \$10,000,000
 12 additional is authorized to be appropriated and expended in
 13 equal amounts by the Departments of War and Agriculture for
 14 carrying out any examinations and surveys provided for in this
 15 Act and any other Acts of Congress, to be prosecuted by said
 16 departments (38),—and the additional sum of \$5,000,000
 17 is authorized to be appropriated for expenditure by the
 18 Department of Agriculture in carrying on works of improve-
 19 ment of the character specified in section 7 of the Flood
 20 Control Act of June 28, 1938. There is also hereby author-
 21 ized to be appropriated for expenditure by the Department
 22 of Agriculture in carrying on works of improvement of
 23 the character specified in section 7 of the Flood Control Act
 24 of June 28, 1938, and which the Department is not other-
 25 wise authorized to undertake, such additional sums as may

1 *be necessary for that purpose.* All appropriations necessary
2 for operation and maintenance of flood-control works author-
3 ized by law to be operated and maintained by the United
4 States are hereby authorized.

Passed the House of Representatives June 20, 1941.

Attest: SOUTH TRIMBLE,
Clerk.

Passed the Senate with amendments July 28, 1941.

Attest: EDWIN A. HALSEY,
Secretary.

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1941

Ordered to be printed with the amendments of the
Senate numbered

Mr. WALSH. I ask for the present consideration of the conference report.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. WALSH. Mr. President, this is a House bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. When the bill reached the Senate two amendments were added. The House has now receded from its disagreement to the two amendments of the Senate. Therefore, I move that the conference report be agreed to.

The motion was agreed to.

RIVER AND HARBOR IMPROVEMENTS FOR FLOOD CONTROL

The Senate resumed the consideration of the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. OVERTON. Mr. President, now that the storm of this debate is at an end I hope I may proceed in a clarified atmosphere with the business at hand, which is the bill relating to flood control.

Mr. McKELLAR. Has the Senator asked for consideration of the committee amendments?

Mr. OVERTON. Not yet, but I shall do so directly.

Mr. President, I desire to make a general statement with respect to the objectives of the bill, and a brief explanation of the amendments recommended by the Senate Committee on Commerce. Then I desire to ask unanimous consent that at the conclusion of my remarks the formal reading of the bill be dispensed with, that the Senate proceed with the consideration of amendments, and that committee amendments be first considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. OVERTON. Mr. President, before entering upon a detailed discussion of the committee amendments to the flood-control bill, H. R. 4911, I should like briefly to summarize the status of flood control work and the need for an authorization bill at this time. The last Flood Control Authorization Act was approved June 28, 1938. In its report of June 7, 1939, on the survey bill enacted in that year the Flood Control Committee of the House of Representatives pointed out the need for orderly development of the national policy of flood control, and stated that an authorization bill might properly be introduced early in 1940. Extensive hearings for such a bill were held in the House committee in the spring of 1940, but the resulting bill introduced in May of that year was never enacted into law.

The objects of the pending bill are to renew legislation proposed in the 1940 bill, to incorporate certain worthy projects on which favorable reports have been submitted by the Chief of Engineers since the 1940 bill, and to include specific modifications to existing authorized projects as developed by extensive hearings.

Since the last authorization act, the War Department has completed many

surveys and reports pursuant to acts of Congress and requests of the committees of Congress and has concurrently prosecuted projects previously authorized. General Schley, Chief of Engineers, advised the committee that—

By the end of the fiscal year 1942 there will remain only approximately \$143,000,000 of authority available for all new general flood-control projects.

This amount is far too small to permit orderly progress on flood control on a national scale; and it is, in reality, only \$107,000,000, since the larger sum includes authority for about 70 local protection projects, at an estimated cost of some \$36,000,000, which cannot be initiated by the War Department because the local cooperation required by law has never been given. The need for increasing the authority for this meritorious work is therefore apparent, and it will be recalled that the President suggested in his Budget message of last January that it would be very wise for us to establish a reservoir of post-defense projects to help absorb labor that later will be released by defense industries.

Furthermore, many of the projects for which authority is sought in the bill under consideration will be of direct benefit to the national-defense program. Then, also, there are factors other than enemy action which must be taken into account in a long-range defense program such as the President considers our present emergency to require. The essential war industries, in addition to being protected against possible hostile attack and sabotage, must be protected against the hazards of nature. In the case, for example, of the vast Mississippi and Ohio Basins, a zone which has a vitally important role in national defense, adequate safeguards include the fullest utilization of flood-control plans to eliminate the risk that a great flood might cause serious damage and otherwise hamper the defense program at a critical moment. Such hazards must likewise be eliminated to the greatest possible extent in New England, California, and those coastal areas where, under the compulsion of necessity, defense industries are now in full operation. The safeguarding of our lines of communication, our national resources, and our homes and families from flood threats is, perhaps, as necessary and pertinent as protection against the possible threat of foreign invasion.

The Committee on Commerce has approved, with one exception, all the items contained in the bill as passed by the House of Representatives. In addition, the Committee on Commerce in its hearings has considered reports which have been approved by the Chief of Engineers and reached Congress since the bill was considered by the House, and the committee has added to the bill projects recommended in such reports, together with certain modifications of existing projects on which complete agreement has been reached.

I shall now briefly explain the main committee amendments. I refer to the page and line of the respective amendments so that the Senators who are interested may readily follow me by consulting the bill.

On page 2, line 21, the proviso—

That the authorization for any flood-control project heretofore or herein adopted requiring local cooperation shall expire 5 years from the date of approval of this act unless local interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished—

has been amended so as to become operative only after local interests have been officially and formally notified in writing by the War Department of the requirements of local cooperation.

On page 7, after line 22, under the Susquehanna River Basin, the project for flood control in that basin, adopted by the act of June 22, 1936, has been modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River about 2 miles above Forest City, at an estimated cost to the United States of \$2,420,000. This reservoir will control 55 percent of the watershed above Carbondale, 28 percent of that above Olyphant, and 17 percent of that above Scranton, Pa., and it will offer economically justified protection for the cities mentioned and the surrounding area.

On page 8, after line 13, there has been added an item in the Neuse River Basin for local flood protection in the vicinity of Goldsboro, N. C., substantially in accordance with the recommendation of the Chief of Engineers, at an estimated cost of \$40,000. Floods on Neuse River cause severe damage to growing crops and to portions of the community of Goldsboro, and an appreciable reduction in such damages can be effected by the construction of a cut-off as contemplated in this proposed project.

On page 9, after line 18, the bill is proposed to be amended by adding a project for the improvement of Bayou Teche and the Vermilion River in Louisiana in accordance with recommendations of the Chief of Engineers, at an estimated cost of \$1,390,000. The most destructive flood that has visited this watershed in recent years occurred following the storm of August 1940. The estimated damage from this flood alone in the Teche-Vermilion area amounted to \$1,250,000. The plan of improvement, which will afford benefits well in excess of the cost of the work, provides for channel improvement in the upper Vermilion River, Ruth Canal, and upper Bayou Teche.

At this point in the bill there is also added an item for the Mermentau River Basin in Louisiana in accordance with recommendations of the Chief of Engineers. The project provides for an enlarged channel in the lower Mermentau River and a lock and control structure to prevent salt-water intrusion. The estimated cost to the United States for the recommended flood-control features of this project is \$970,000.

On page 13, lines 2 and 3, and page 14, line 1, minor clarification amendments have been made to subsections (b) and (c) under the lower Mississippi River project, and on page 14, after line 19, a proviso has been added to subsection (c) to give the Chief of Engineers discretionary authority, after further investigation, to substitute other levees and appurtenant

works for improvements authorized in the bill for the protection of the Red River backwater area which may be found to afford protection to a larger area, at a total cost not to exceed \$14,000,000.

On page 16, after line 5, a new subsection (f) has been added to the lower Mississippi River project to provide, in the development of the authorized project, the construction of improvements for Bayous Rapides, Boeuf, and Cocodrie, La., as contemplated in the report dated March 24, 1941, of the special board of officers, at an estimated cost of \$2,600,000.

On page 16, after line 22, subsection (h), which has been recommended to the Committee on Commerce, has been added to provide that any officer of the Corps of Engineers who has served or shall serve 4 years as president of the Mississippi River Commission and who has been or shall be retired shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general. As we know, the president of the Mississippi River Commission is appointed with rank of brigadier general by the President and confirmed by the Senate, but, at the present time, upon completion of his duty as president of the Mississippi River Commission, such officer reverts to his former rank, usually that of colonel.

On page 18, after line 16, an amendment is added to the Red-Ouachita River Basin project which modifies the existing project for the Bayou Bodcau Reservoir, La., so to include channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou, at an estimated cost of \$198,000. Recent studies made by the Chief of Engineers show that there is a need for additional flood control in the Bayou Bodcau Basin in order to supplement the protection to be afforded by the authorized flood-control reservoir.

On page 22, after line 2, an item is inserted under the Ohio River Basin to provide for local flood protection on the Licking River at Salyersville, Ky., in accordance with recommendations of the Chief of Engineers, at an estimated cost of \$174,000. Flooding in this area is of frequent occurrence as indicated by the fact that 48 floods have occurred in a period of 13 years.

On page 24, line 23, a proviso has been added to the item for flood protection along both banks of the Missouri River between Sioux City and Kansas City to facilitate local cooperation by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, established by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

On page 25, lines 4 to 9, an amendment is recommended by the committee to eliminate from the work authorized by the bill the proposed Liberty Bend cut-off in the Missouri River below Kansas City, Mo., and Kansas City, Kans., pending the completion of the review report on the Kansas City area now being made in accordance with a resolution of the committee.

On page 27, line 1, the bill has been amended to include the project for local

flood protection on the Yaquina River in the Mill Four district, Oregon, in accordance with the recommendations of the Chief of Engineers, at an estimated cost of \$72,000.

On page 28, line 20, an item has been added to the Columbia River Basin to authorize a project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oreg., in accordance with recommendations of the Chief of Engineers, at an estimated cost of \$34,000.

On pages 29 and 30, section 4 of the bill has been amended as suggested, for the most part, by the President in his message of July 3, 1941, House Document No. 301, Seventy-seventh Congress. These amendments provide (1) that the Secretary of War, as well as Congress, may direct preliminary examinations and surveys anywhere in the United States and its possessions; (2) the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to Congress if such review is required by the national defense or by changed physical or economic conditions; and (3) there is covered by law the procedure now being followed under Executive order and agreement between the departments concerned that whenever the Chief of Engineers, in making any preliminary examination or survey for flood-control purposes, finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation of the Department of the Interior, the Federal Power Commission, or the Federal Security Agency, whichever is concerned in the multiple-use study.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I am very glad to yield to the Senator from Wyoming.

Mr. O'MAHONEY. The Senator has just referred to the amendment on page 30, in which it is provided that whenever the Chief of Engineers, in making a preliminary determination, finds it desirable to do thus-and-so, he shall request the participation of the Department of the Interior, and so forth. I wish the Senator would explain that amendment a little more at length.

Mr. OVERTON. This amendment was adopted by the subcommittee and by the full Committee on Commerce of the Senate and added to the bill under consideration upon the recommendation of the President of the United States in a letter which he addressed under date of July 3 of this year to the Speaker of the House and to the Vice President. I may say to the Senator from Wyoming that the amendment does not, in reality, make any change in the procedure now followed in the preparation of plans, preliminary examinations, and surveys.

Mr. O'MAHONEY. As I read the amendment, it seems to have the effect of delegating to the Chief of Engineers the initiative in three very broad fields of what has heretofore been congressional activity, namely, in any investigation relating to irrigation development, in any investigation relating to recreational development of reservoirs and waterways,

and in any investigation relating to the conservation of aquatic and other wildlife, and so forth.

Mr. OVERTON. If the Senator will read the first few lines of the proposed amendment, he will find that the functions of the Chief of Engineers are confined to making preliminary examinations and surveys for flood-control purposes. If, in making an examination for flood-control purposes, he finds it desirable to include in the examination or survey some project, we will say, that is related to irrigation, if the project itself bears a relation to irrigation—in which, I know, the Senator from Wyoming is vitally interested—then the Chief of Engineers will consult with the Department of the Interior in order that he may have the benefit of the views of the Department of the Interior in relation to such flood-control project insofar as it may affect irrigation.

Mr. McKELLAR. Mr. President—

Mr. O'MAHONEY. But, as I remarked, the amendment apparently gives the initiative to the Chief of Engineers.

Mr. OVERTON. The Chief of Engineers has always had the initiative in reference to flood-control projects.

Mr. O'MAHONEY. Oh, yes, of course; but this is the language, and I rise merely to have the matter more clearly explained.

Whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes—

As we go that far, we recognize the full power of the Chief of Engineers over flood control. Then we proceed—

finds it desirable—

In other words, whenever the Chief of Engineers finds it desirable—

to include in such examination or survey an investigation of one or more related purposes—

And then the three different fields are mentioned. Did the committee submit this proposal to the Bureau of Reclamation, for example?

Mr. OVERTON. It did not. It was submitted to the committee by the President of the United States, and I assume that he consulted the different departments and agencies in interest. It was upon his recommendation that the amendment was adopted. Let me emphasize to the Senator that the amendment does not increase one iota the authority now enjoyed under existing law, and that has been enjoyed under the law as long as I have had any connection with the flood-control program.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERTON. I will yield in a moment. The amendment does not add to the authority of the Chief of Engineers.

Mr. O'MAHONEY. No; I understand that.

Mr. OVERTON. It does not detract from the authority of the Department of the Interior or the authority of the Federal Power Commission. It simply says, "Mr. Chief of Engineers, if you have a power project, you should consult with the Power Commission before you undertake to submit a report in reference to

the project. In making your examination and survey, consult with the Power Commission. If it is a matter of reclamation, drainage, or irrigation, consult with the Department of the Interior." The amendment is proposed in order that there may be a coordination of effort on the part of agencies of the Government which have their different jurisdictions and their different functions to perform.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I was about to add that while the amendment gives this power, I think it gives an additional power to the Chief of Engineers. It is a power which he has not now, and this amendment undoubtedly would give it to him; but all he does is to report to Congress.

Mr. OVERTON. Let me interrupt the Senator. He is in error. The Chief of Engineers has the authority in reference to flood-control projects.

Mr. McKELLAR. Of course, Congress has not yet passed the bill.

Mr. OVERTON. I mean, under existing law.

Mr. McKELLAR. But I desire to call the Senator's attention to the fact that after the report is made the Congress first has to authorize the project, and afterward has to appropriate the money for the project; so I cannot see that much harm will be done under any circumstances.

Mr. OVERTON. To continue my explanation, on page 34, line 21, a new section 8 has been added which increases from \$300,000 to \$600,000 the annual amount the Secretary of War may use from any appropriations heretofore or hereafter made for removing accumulated snags and other debris, and clearing and straightening channels in navigable streams and tributaries thereof, provided that not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year.

Mr. PEPPER. Mr. President, I was interested in the item included in what the Senator is reading. I suppose the words "snags and other debris" would include hyacinths.

Mr. OVERTON. I think they would include hyacinths.

Mr. PEPPER. They form quite an obstruction in our State.

Mr. OVERTON. Especially if they are a cause of flood. A great many hyacinths grow in the water courses of Louisiana, and they are a very pretty flower when in bloom, are they not?

Mr. PEPPER. They are beautiful.

Mr. OVERTON. Just as everything in Florida, as well as in Louisiana, is beautiful.

On page 35, section 8, of the bill as it passed the House, becomes section 9 of the amended bill, and the sum of \$260,000,000 is increased to \$275,000,000 to cover the items added by the Senate amendments.

On page 35, line 19, the amendment with respect to the work of the Department of Agriculture has been added as suggested by the President.

Mr. President, I have a break-down by basins, showing, first, the authorizations contained in the bill as it passed the House, and, secondly, the authorizations for projects represented by the amendments suggested by the Senate Committee on Commerce.

The total of authorizations contained in the bill as it passed the House was actually \$254,890,100, to which have been added by the Senate committee authorizations in the sum of \$12,322,000, making a total of \$267,212,100.

I ask unanimous consent to have printed in the RECORD at this point the break-down by basins.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Projects in H. R. 4911 as passed by the House of Representatives

River or basin:	Authorization
Connecticut River Basin.....	\$16,000,000
Thames River Basin.....	6,000,000
Pawtuxet River Basin.....	1,320,000
Hudson River Basin.....	2,170,000
Lake Champlain Basin.....	1,188,000
Oswego River Basin.....	3,220,000
Susquehanna River Basin.....	1,900,000
Delaware River Basin.....	300,000
Mobile River Basin.....	3,680,000
Colorado River Basin (Tex.)..	10,725,000
Brazos River Basin.....	5,000,000
Lower Mississippi River (backwater improvements).....	18,958,000
Homochitto River.....	50,000
Red-Ouachita River Basin.....	4,123,600
White River Basin.....	26,847,500
Arkansas River Basin.....	31,238,000
Ohio River Basin.....	45,000,000
Chattanooga, Tenn., and Rossville, Ga.....	13,500,000
Upper Mississippi River Basin.....	460,000
Sebewaing River Basin.....	250,000
Missouri River Basin.....	12,131,000
Santa Ana River Basin.....	2,500,000
Los Angeles-San Gabriel River Basin.....	25,000,000
Sacramento-San Joaquin River Basin.....	11,160,000
Umpqua River Basin.....	176,000
Willamette River Basin.....	11,062,000
Columbia River Basin.....	931,000
	254,890,100

¹ Includes \$11,982,000 for Yazoo River backwater and \$6,976,000 for Red River backwater.

Projects proposed for inclusion in H. R. 4911 by the Senate

River or basin:	Authorization
Neuse River Basin.....	\$40,000
Susquehanna River Basin (Stillwater Reservoir), Pa.	2,420,000
Bayou Teche and Vermilion River Basins.....	1,390,000
Mermentau River Basin.....	970,000
Lower Mississippi River (backwater improvements).....	7,024,000
Red-Ouachita River Basin.....	198,000
Ohio River Basin.....	174,000
Yaquina River Basin.....	72,000
Columbia River Basin.....	34,000
	12,322,000

Grand total..... 267,212,100

¹ Increases Red River backwater to \$14,000,000.

Mr. OVERTON. Mr. President, I think it would be very informative to Mem-

bers of Congress and to the public at large to submit a break-down of the different projects by States, arranged alphabetically. I have a statement showing projects contained in the flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce, and I ask unanimous consent that it be printed in the RECORD at this point.

The VICE PRESIDENT. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Projects contained in flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce

State and project	Page in House report	Amount
1. Alabama:		
Alabama-Coosa River Basin (Mobile River Basin).....	13	\$530,000
2. Arkansas:		
Red-Ouachita River Basin, Calion, Ark.....	23	50,000
Little Missouri River.....	24	3,000,000
White River Basin.....	25	21,600,000
White River between Augusta and Clarendon, Ark.....	26	2,847,000
Arkansas River, Little Rock to Pine Bluff.....	28	641,000
Arkansas River, Crawford County Levee.....	28	284,000
Total.....		28,422,500
3. California:		
Santa Ana River Basin.....	36	2,500,000
Los Angeles County Drainage Area.....	37	25,000,000
Sacramento River.....	38	10,650,000
Fresno County project.....	39	610,000
Total.....		38,660,000
4. Colorado: Cherry Creek and tributaries.....	33	3,000,000
5. Connecticut:		
Connecticut River Basin.....	7	6,820,000
Thames River Flood Control.....	8	3,450,000
Total.....		10,270,000
6. Georgia:		
Allatoona Reservoir, Etowah River.....	14	3,000,000
Rossville, Ga., Tennessee River Basin.....	30	514,000
Total.....		3,514,000
7. Indiana: Ohio River Basin.....	29	17,600,000
8. Iowa:		
Indian Creek, Council Bluffs Missouri River, Sioux City to Kansas City, Mo.....	35	100,000
Dry Run at Decorah.....	31	460,000
Total.....		578,000
9. Kansas: Missouri River, Sioux City to Kansas City, Mo.....	35	300,000
10. Kentucky: Licking River at Salyersville.....		174,000
11. Louisiana:		
Red River (Grant and Rapides Parishes).....	24	1,073,600
Bayous Rapides, Boeuf and Coudrie.....		2,600,000
Bayou Teche and Vermilion River.....		1,390,000
Mermentau River.....		970,000
Bayou Bodeau.....		198,000
Tensas-Coudrie Area.....	22	14,000,000
Total.....		20,231,600
12. Massachusetts:		
Hudson River Basin, Hoosic River.....	10	1,742,000
Connecticut River Basin.....	7	865,000
Thames River Basin.....	8	2,550,000
Total.....		5,257,000

Projects contained in flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce—Continued

State and project	Page in House report	Amount
13. Michigan: Sehewasing River....	32	\$250,000
14. Mississippi:		
Tombigbee River.....	14	150,000
Homochitto River.....	23	50,000
Yazoo River (Mississippi River Basin).....	22	11,982,000
Total.....		12,182,000
15. Missouri:		
White River.....	25	2,400,000
Missouri River, Sioux City to Kansas City, Mo.....	35	400,000
Total.....		2,800,000
17. Nebraska:		
Platte River in the vicinity of Schuyler.....	33	63,000
Republican River (Harlan County Res.).....	32	7,000,000
Missouri River, Sioux City to Kansas City, Mo.....	35	200,000
Total.....		7,263,000
18. New Hampshire: Connecticut River Basin.....	7	1,935,000
19. New Jersey: Delaware River Basin, Rancocas Creek at Mount Holly.....	13	300,000
20. New York:		
Hudson River Basin, Hoosie River.....	10	137,000
Oswego River Watershed.....	11	3,220,000
Total.....		3,357,000
21. North Carolina: Neuse River Basin.....		40,000
22. Ohio: Ohio River Basin.....	29	7,000,000
23. Oklahoma:		
Salt Fork in the vicinity of Cherokee.....	27	800,000
Arkansas River—levees at Tulsa and West Tulsa.....	29	513,000
Arkansas River Basin.....	27	29,000,000
Total.....		30,313,000
24. Oregon:		
Birch Creek.....		34,000
Umpqua River Basin.....	40	176,000
Willamette River Basin.....	40	11,000,000
Pudding River.....	41	62,000
Walla Walla River.....	42	567,000
Yaquina River Basin.....		72,000
Total.....		11,911,000
25. Pennsylvania:		
Susquehanna River at Sunbury.....	12	1,900,000
Susquehanna River Basin, Southern New York and Eastern Pennsylvania, Stillwater Reservoir.....		2,420,000
Ohio River Basin.....	29	20,400,000
Total.....		24,720,000
26. Rhode Island: Pawtuxet River.....	9	1,320,000
27. South Dakota: Fall River.....	34	1,050,000
28. Tennessee: Tennessee River Basin, Chattanooga.....	30	12,986,000
29. Texas:		
Concho River.....	15	2,000,000
Lower Colorado River.....	15	6,500,000
Pecan Bayou.....	16	1,400,000
Brady Creek.....	16	825,000
Whitney Dam, Brazos River.....	17	5,000,000
Total.....		15,725,000
30. Vermont:		
Hudson River Basin, Hoosie River.....	9	291,000
Lake Champlain Basin (Winooski River).....	10	880,000
Otter Creek at Rutland.....	11	308,000
Connecticut River Basin.....	7	6,280,000
Total.....		7,759,000

Projects contained in flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce—Continued

State and project	Page in House report	Amount
31. Washington:		
Columbia River Basin, Touchet River.....	41	\$146,000
Walla Walla River.....	42	187,000
Cowlitz River and tributaries.....	42	31,000
Total.....		364,000
Grand total.....		269,812,100

Mr. OVERTON. Mr. President, I believe I obtained consent that the formal reading of the bill be dispensed with.

The VICE PRESIDENT. The Senator is correct, and the clerk will state the first amendment of the Committee on Commerce.

The first amendment of the Committee on Commerce was, on page 2, line 20, after the word "date", to strike out "of approval of this Act unless local", and insert "on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said."

The amendment was agreed to.

The next amendment was, under the head "Susquehanna River Basin", on page 7, after line 22, to insert:

The project for flood control in the Susquehanna River Basin in southern New York and eastern Pennsylvania adopted by the act of June 22, 1936, is hereby modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River, Pa., for flood control and other purposes in accordance with plans now in the Office of the Chief of Engineers at an estimated cost to the United States of \$2,420,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 13, to insert:

NEUSE RIVER BASIN

The project for local flood protection on the Neuse River in the vicinity of Goldsboro, N. C., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 330, Seventy-seventh Congress, first session, at an estimated cost of \$40,000.

Mr. OVERTON. Mr. President, I desire to offer a perfecting amendment so as to indicate the number of the report. I send the amendment to the desk.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 8, line 19, after the word "Numbered," it is proposed to insert the numerals "327."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the amendment of the committee as amended.

Mr. O'MAHONEY. Mr. President, I inquire of the Senator from Louisiana whether the project covered by the amendment is now under construction.

Mr. OVERTON. It is not under construction. It is now being authorized.

Mr. O'MAHONEY. How many projects are there in the bill as reported by the committee which are not under construction and what will be the total cost of the new projects?

Let me say, before the Senator replies, that I am prompted to ask the question by reason of the fact that the House of Representatives is now about to consider a huge tax bill, which is necessitated by the defense preparations. The question arises in the minds of many to what extent, in the light of the enormous tax burden we are about to place upon the people, we should willingly incur new expenditures which are not for defense purposes. That is why I ask the Senator whether he will be good enough to indicate the total amount of the authorizations in the bill for projects on which work has not been started.

Mr. OVERTON. That would require a mathematical calculation which it is utterly impossible for me to make on the floor. I should be glad to take the bill and go through it. As I understand the request made by the Senator from Wyoming, he desires a statement of the total cost of the new projects, in both the bill as it passed the House, and in the Senate committee amendments.

Mr. O'MAHONEY. That is correct.

Mr. OVERTON. I regret that I cannot give the Senator the information.

Mr. O'MAHONEY. The answer may develop as we proceed. The amendment now under consideration is for a new project involving two and a half million dollars?

Mr. OVERTON. Yes; that is what the Senate committee amendment provides. Let me say to the Senator, in that connection, that this is an authorization bill and not an appropriation bill, and that before any of these new projects can be put under way it will be necessary for Congress to appropriate the funds necessary.

Let me further call his attention to the fact that in January of this year the President of the United States suggested, in a message to Congress, that it would be well to provide a backlog of projects on which labor could be employed when the present national emergency shall have passed.

I repeat, this is an authorization bill, and no one in the United States need be alarmed by the authorizations contained in the bill. The question of how much shall be expended upon these projects will arise when the appropriation bills, and especially the War Department civil functions bill, come before the Congress.

Let me say to the Senator from Wyoming further in that connection that many of these projects are of stupendous value in the national-defense program, and many of them are directly connected with it, such as projects for developing power, which the Government is bending every energy to obtain. The probability is that a number of these projects, especially the power projects, will, under the budgetary recommendations, be incorporated in appropriation bills, and possibly some of them in supplemental appropriation bills before this session shall end.

Mr. O'MAHONEY. Mr. President, this is a rather serious question, and I was

about to ask the Senator from Louisiana whether the amendments which have been added by the Senate committee are all of the same character as the one now pending, namely, amendments involving new projects.

Mr. OVERTON. No; some of them are for modifications of existing projects.

Mr. O'MAHONEY. Would it be improper to suggest that amendments covering new projects, upon which no work has been done at all, be delayed for consideration until the Senator shall have presented the amendments covering projects which are already under way?

Mr. OVERTON. I could not agree to such a suggestion. I desire to proceed with the bill, and I wish to take up every project on its merits. I shall be very glad to answer any question the Senator from Wyoming or any other Senator may desire to address to me in respect to any project under consideration, supported by a suggested Senate amendment.

Mr. O'MAHONEY. Then, Mr. President, may I ask the Senator with respect to the suggested amendment to the committee amendment, upon what basis of costs the estimate of \$2,420,000 was based? In other words, when was that estimate made? Are we to judge that under present costs it would not require an outlay greater than that?

Mr. OVERTON. Mr. President, the estimate of costs was made by experts who know infinitely more about these projects than I do, or, I may add, than the Senator from Wyoming does. This project was considered by the district engineer; he made his report thereon; his report was reviewed by the division engineer, and then the reports of the district engineer and the division engineer were submitted to the Board of Engineers for Rivers and Harbors. They carefully examined the project and approved it, and then it was submitted to the Chief of Engineers, who used the entire findings of the district engineer, the division engineer, and the Board of Engineers for Rivers and Harbors, and came to a conclusion and made the recommendation as to costs contained in this bill.

If the Senator from Wyoming desires any better authority I am not in a position, I am sorry to say, to give it to him.

Mr. O'MAHONEY. Mr. President, will the Senator again yield?

Mr. OVERTON. I yield.

Mr. O'MAHONEY. I readily admit, as the Senator intimates, that I am not an engineer, and have very little knowledge about the cost of engineering projects, but one does not have to be an engineer to know that within the past 6 months costs have greatly increased, and my question to the Senator was not to infer that the engineers who made this estimate did not know what they were doing at the time they made it; the question was to determine whether this estimate was made upon costs of a year ago or the costs of the present.

Mr. OVERTON. Of course, the Senator can readily understand that in the orderly procedure in the investigation of projects, examinations, and reports thereon, the estimate of the cost is not made at the very instant the Senator from Wyoming is considering the bill.

Mr. O'MAHONEY. The appropriation which we authorize is at the very instant the Senate is considering the bill.

Mr. OVERTON. Exactly; but necessarily one cannot obtain information as to a project at the last instant. This project is estimated to cost \$2,420,000. So far as the Committee on Commerce of the Senate has been informed, that amount is sufficient for the execution of the project. If the Senator desires to amend by increasing the amount, we can consider the proposal.

Mr. O'MAHONEY. Mr. President, my thought was that the committee amendment probably might be very much improved by elimination rather than by increasing the amount.

Mr. OVERTON. The Senator may object to the committee amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 8, beginning in line 14, as amended.

The amendment as amended was agreed to.

Mr. O'MAHONEY. Mr. President, I desire to be recorded in the negative.

The VICE PRESIDENT. The amendment has to do with the Neuse River Basin.

Mr. O'MAHONEY. Mr. President, the Chair will recall that after the amendment with respect to the Susquehanna River Basin was submitted and the Chair declared it adopted, the Senator from Louisiana rose to offer a perfecting amendment, whereupon the Chair declared that the matter was up for reconsideration. Since that time, if I may say so, the Senator from Wyoming and the Senator from Louisiana have been occupying all the time, and I doubt whether the Chair, expert though he may be in passing amendments and bills, had the opportunity to pass the amendment. So in any event, I desire to be recorded as voting against this amendment upon the ground that there is not sufficient showing by the Committee on Commerce that the cost mentioned in the bill is actually the cost of the project.

The VICE PRESIDENT. The Chair may say to the Senator from Wyoming that it appears when the Senator from Louisiana submitted his amendment it was with regard to the Neuse River Basin and not with regard to the Susquehanna River Basin.

Mr. OVERTON. May I observe, that is news to the Senator from Wyoming. [Laughter.]

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, on page 9, after line 18, to insert:

BAYOU TECHE AND VERMILION RIVER

The project for the improvement of Bayou Teche and the Vermilion River, La., is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report of June 23, 1941, at an estimated cost of \$1,390,000.

Mr. OVERTON. Mr. President, I desire to submit an amendment to the committee amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 9, lines 23 and 24, it is proposed to strike out the

words "his report of June 23, 1941," and substitute in place thereof the words "House Document Numbered 328, Seventy-seventh Congress, first session."

The VICE PRESIDENT. Without objection, the amendment to the committee amendment is agreed to; and without objection, the committee amendment, as amended, is agreed to.

The next amendment was, at the top of page 10, to insert:

MERMENTAU RIVER BASIN

The project for the improvement of the Mermentau River in Louisiana for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 19, 1941, at an estimated cost of \$970,000.

Mr. OVERTON. I send forward an amendment to the committee amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 10, lines 5 and 6, it is proposed to strike out the words "his report dated June 19, 1941", and substitute in place thereof the words "House Document No. 329, Seventy-seventh Congress, first session,".

The VICE PRESIDENT. Without objection, the amendment to the committee amendment is agreed to, and, without objection, the committee amendment, as amended, is agreed to.

The next amendment was, under the head "Lower Mississippi River", on page 13, line 2, after the words "that the", to strike out "improvements" and insert "extension of the authorized project and improvements."

The amendment was agreed to.

The next amendment was, on page 14, line 1, after "(c)", to strike out "The" and insert "in the development of the authorized project, the"; and in line 20, after the name "Chief of Engineers", to insert a colon and the following additional proviso:

Provided further, That subject to the foregoing conditions of local cooperation the Chief of Engineers may in his discretion substitute other levees and appurtenant works for, or make such modifications of, the levees and improvements herein authorized for the protection of the Tensas-Cocodrie area as may be found after further investigation to afford protection to a larger area in the Red River backwater at a total cost not to exceed \$14,000,000 and without jeopardizing the safety and integrity of the main Mississippi River levees and without jeopardizing the diversion contemplated in the adopted project through the Atchafalaya Basin.

The amendment was agreed to.

The next amendment was, on page 16, after line 5, to insert:

(f) In the development of the authorized project, the construction of improvements for Bayou Rapides, Boeuf, and Cocodrie, La., contemplated in the report dated March 24, 1941, of the Special Board of Officers at an estimated cost of \$2,600,000 is hereby authorized.

The amendment was agreed to.

The next amendment was, on page 16, after line 22, to insert:

(h) Any officer of the Corps of Engineers who has served or shall serve 4 years as President of the Mississippi River Commission and who has been or shall subsequently

be retired, shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general.

Mr. ADAMS. Mr. President, the Senator from Louisiana, while he mentioned this amendment, gave no explanation as to the necessity or desirability of it, and I am wondering why we should give special legislative treatment to a particular member of the Corps of Engineers who happens to serve as president of the Mississippi River Commission. Why should not the same treatment be accorded to every engineer?

Mr. OVERTON. Mr. President, because the same treatment is not now accorded to every engineer that is accorded to the president of the Mississippi River Commission. When the president of the Mississippi River Commission is appointed, regardless of his rank, he ipso facto, under an act of Congress, becomes a brigadier general. There is no special nomination of him to that rank. By virtue of his becoming president of the Mississippi River Commission he becomes a brigadier general. The law goes that far and no farther. So if a colonel is appointed—and usually a colonel is appointed president of the Mississippi River Commission—he becomes a brigadier general. On his retirement from active service, he retires as a colonel instead of as a brigadier general, and it is a demotion of him as a retired officer.

This suggested amendment provides that any officer of the Corps of Engineers who has served for 4 years as president of the Mississippi River Commission shall, upon retirement, retire with the same pay and rank and allowances as a major general.

I wish to say further in that connection, if the Senator from Colorado will indulge me, that I do not know whether the Senator from Colorado is sufficiently familiar with flood-control work to know of Gen. Harley B. Ferguson. I consider General Ferguson to be one of the greatest engineers this country has ever produced. I look upon him as an engineering genius. General Ferguson was president of the Mississippi River Commission for a period of 4 years, and did some bold pioneering work contrary to the recommendations of other engineers. He did not follow the beaten path. The results were magnificent. I shall not take the time to go into them.

General Ferguson has retired with the rank of colonel. In considering this amendment the subcommittee was very much moved to its favorable recommendation by reason of the record made by General Ferguson, now retired.

In addition, I think that after anyone has occupied for a period of 4 years as important a post as that of president of the Mississippi River Commission—I do not care whether he is elevated to that rank from a lieutenantancy—with the rank of brigadier general, when he is retired he should be retired with the rank of major general.

Mr. ADAMS. Mr. President, the Senator is quite correct in assuming that I know very little about flood control.

Mr. OVERTON. I did not assume it. I said I did not know to what extent the Senator was familiar with it.

Mr. ADAMS. I am admitting my ignorance. I merely rise to make inquiry as to why special treatment should be given to an Army officer who occupies this particular place. I know that there are other services in the Army in which men are given a certain rank for certain service. That is particularly true in the Navy. A man is given a certain rank for a certain service, and when he is withdrawn from that service he reverts to his former rank. It is nothing unusual. The reason the Senator gives is that in his opinion this is the proper thing to do. I shall not differ with the Senator. I merely have the feeling that if we wish to do something for Colonel Ferguson we could very readily do it by limiting this provision to the man who is retired. However, the amendment provides that hereafter every man who subsequently becomes president of the Mississippi River Commission, or who ever has been president of the Mississippi River Commission, shall be a major general, and shall be entitled to retirement at that rank. It seems to me, in my ignorance of flood control, that there is no reason why we should pick out a particular officer who happens to serve in this important place, and give to him a treatment which we do not give to other officers who serve in other important places in the Army.

Mr. OVERTON. The Senator is mistaken. There is a statute to the same effect in relation to the Chief of Engineers of the Army, and there may be other statutes relating to other positions. It is not so much a matter of the individual. It is the office he holds for a certain period of time—in this case 4 years. That is the usual tenure of office of the president of the Commission.

Mr. ADAMS. Perhaps I do not appreciate the importance of the president of the Mississippi River Commission, but I appreciate the importance of appropriations. The provision seemed to me to be unusual, and that is the reason why I made inquiry of the Senator. I have heard the Senator's explanation.

Mr. OVERTON. I gave the Senator the full benefit of the information I have, and my views in connection with it.

Mr. ADAMS. Unfortunately, I am still unconvinced, although mine is an individual opinion. Doubtless the committee amendment will prevail.

Mr. DANAHER. Mr. President, I was seeking recognition when the Senator from Colorado obtained the floor. I had substantially the same general thoughts in mind. However, I have a question or two which I should like to have answered by the Senator from Louisiana.

Mr. OVERTON. I shall be very glad to answer if I can.

Mr. DANAHER. Assume the case of an officer who serves in this very important post between the ages of 40 and 44. Would he be eligible to retirement, say 20 years later, with the rank of major general, if he is thereafter detailed to a less important post?

Mr. OVERTON. The Senator is correct.

Mr. DANAHER. Is this permanent legislation, or does it apply only to some incumbent?

Mr. OVERTON. It is permanent legislation. It applies only to this particular office, the presidency of the Mississippi River Commission.

Mr. DANAHER. Would not this provision have the tendency to place a premium upon officers seeking this particularly important post, especially if they might not otherwise achieve the rank of major general?

Mr. OVERTON. I have no doubt it would; but those nominations are made by the President, and are confirmed by the Senate. I do not think it would be at all unwise or unsound to offer an inducement—if it may be considered as an inducement—to officers to take charge of that important post.

Mr. DANAHER. Is it the Senator's premise that anybody who will spend 4 hard years as president of the Mississippi River Commission is entitled to be retired as a major general when he retires?

Mr. OVERTON. That is the amendment suggested by the Committee on Commerce.

Mr. DANAHER. On the theory that he has served as president of the Mississippi River Commission?

Mr. OVERTON. For a period of 4 years; that is correct.

Mr. DANAHER. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 16, after line 22.

Mr. ADAMS. Mr. President, I should like to have an opportunity to vote against it.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 16, after line 22. [Putting the question.]

Mr. OVERTON. Mr. President, I ask for a division.

On a division the amendment was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the head "Red-Ouachita River Basin", on page 18, after line 16, to insert:

The project for the Bayou Bodcau Reservoir, La., authorized by the act of June 22, 1936, as modified by the acts of June 28, 1938, and June 28, 1939, is hereby further modified to include and to authorize channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou at an estimated cost of \$198,000, subject to the provisions of section 3 of the Flood Control Act approved June 22, 1936.

The amendment was agreed to.

The next amendment was, under the head "White River Basin", on page 19, line 18, after the name "Chief of Engineers", to insert "in House Document No. 290, Seventy-seventh Congress, first session."

The amendment was agreed to.

The next amendment was, under the head "Ohio River Basin", on page 22, after line 2, to insert:

The project for local flood protection on the Licking River at Salyersville, Ky., is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 261, Seventy-seventh Congress, first session, at an estimated cost of \$174,000.

The amendment was agreed to.

The next amendment was, under the head "Missouri River Basin", on page 24, line 23, after the word "thereof", to insert a colon and the following proviso:

Provided, That such project is hereby modified by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact, floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Louisiana whether there was any inquiry in the committee as to how the Congress is permitted, under the Constitution, to delegate to the Secretary of War power to approve interstate compacts.

Let me say to the Senator from Louisiana that only within the past few months the President has vetoed an empowering or authorization bill passed by the Congress, authorizing States to enter into interstate compacts with reference to the regulation and control of the taking of fish and the like, on the ground that there was no provision for bringing such interstate compacts back to Congress for its approval. With such thoughts in mind, I ask the Senator from Louisiana if any thought was taken as to how the Congress is to delegate to the Secretary of War the approval of the interstate compacts?

Mr. OVERTON. Mr. President, if I may interrupt the Senator, I think he does not understand the amendment. The purpose of the amendment is to eliminate from a prior authorization act the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War. That is the present requirement. The amendment provides in the beginning:

That such project is hereby modified by eliminating the requirement.

Therefore, if I understand the Senator's position, the amendment does the very thing the Senator thinks ought to be done. In his opinion, there ought not to be such a requirement.

Mr. DANAHER. I thank the Senator. Those of us who are not on the committee and who do not have the hearings before us must rely upon the explanation of the Senator from Louisiana, which I am glad to accept, since the matter was not explained in the report.

Mr. OVERTON. I am glad to make the explanation, because the questions of the Senator from Connecticut are always pertinent.

Mr. DANAHER. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 24, beginning in line 23.

The amendment was agreed to.

The next amendment was, on page 25, after line 3, to strike out:

The project adopted by the act of June 22, 1936, to provide flood protection of the

Kansas City, Kans. and Mo., is hereby modified to include cut-offs in the vicinity of Liberty Bend substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 722, Seventy-sixth Congress, third session

The amendment was agreed to.

The next amendment was, at the top of page 27, to insert:

YAQUINA RIVER BASIN

The project for local flood protection on the Yaquina River in the Mill Four district, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 304, Seventy-seventh Congress, first session, at an estimated cost of \$72,000.

The amendment was agreed to.

The next amendment was, under the heading "Columbia River Basin", on page 28, after line 19, to insert:

The project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oreg., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document No. 89, Seventy-seventh Congress, first session, at an estimated cost of \$34,000.

The amendment was agreed to.

The next amendment was, on page 29, line 3, after the words "flood control", to strike out "including floods aggravated by or due to tidal effect at the following named localities," and insert "to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following named localities"; in line 10, after the word "on", to strike out "the watersheds of such localities" and insert "drainage areas"; in line 12, after the word "purposes", to strike out the colon and the following proviso: "Provided, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made"; in line 16, after the word "Provided", to strike out "further"; in the same line, after the word "made", to strike out "as hereby authorized"; in line 20, after the word "law", to strike out "or by resolution of the Committee on Flood Control of the House of Representatives or the Committee on Commerce and of the Senate;" and insert "except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions"; and on page 30, line 1, before the words "Provided further", to strike out "And provided"

The amendment was agreed to.

The next amendment was, on page 30, line 6, after the word "law", to insert a colon and the following additional proviso:

And provided further, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to

the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

Mr. JOHNSON of Colorado. Mr. President, in the opinion of the Senator from Colorado this amendment should not be agreed to. Senators will notice that the language is as follows:

That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development.

That is the provision to which I take exception. In the States having the doctrine of appropriation of waters the Department of the Interior has little or nothing to do with irrigation. That is a matter which is determined by the people in the States themselves. By implication it is suggested in this amendment that the Department of the Interior has some control or some authority over the irrigation waters of the States.

For instance, in the State of Colorado, Colorado being a so-called appropriation State, we have written into our Constitution priorities for the use of water, the first being for domestic use, the second for irrigation, and the third for manufacturing. The priorities run in that order.

In this amendment by implication, at least, we are suggesting that the Department of the Interior has authority over the irrigation waters of this country. I most certainly do not want to let it be taken for granted that the representatives from Colorado agree to any such doctrine as that, for we do not.

We are very jealous of our irrigation waters. We have developed them at our own expense. It is true that reclamation projects have come in; but in each of such cases the money has been borrowed from the reclamation fund and the water development has been made by the citizens of the State. The loan which has been secured from the reclamation fund will be repaid. We have every right in the world to be very jealous of our irrigation waters, and we cannot permit any Federal bureau to be given any authority over our waters.

I should like to ask the Senator from Louisiana if it would not be agreeable to him to strike out that portion of the amendment.

Mr. OVERTON. Mr. President, a few moments ago the Senator from Wyoming [Mr. O'MAHONEY] and I discussed this amendment. I do not know whether the Senator from Colorado was present at that time.

Mr. JOHNSON of Colorado. Yes; I was present, but I did not understand the discussion.

Mr. OVERTON. I shall undertake to make it clear. As I previously stated, this amendment is recommended by the

President. It is recommended for one purpose, and it achieves only one purpose, and that is that when the Chief of Engineers is making an examination and investigation of a project which involves multiple-use of water he will consult the head of the department concerned with the other use of the water.

Mr. JOHNSON of Colorado. Will the Senator yield at that point?

Mr. OVERTON. I ask the Senator to wait a moment, because I am afraid he does not understand the amendment. After he understands it I think he will have no objection.

As I understand, the Senator from Wyoming was apprehensive that the amendment would give the Chief of Engineers authority which he does not now possess. That is not correct. It does not vest in the Chief of Engineers, the Department of the Interior, or the Federal Power Commission any authority to construct any projects whatever. All it provides is that when an investigation of a project is being made there shall be some correlation in the investigations by the different departments having jurisdiction.

Mr. JOHNSON of Colorado. But that is the point, Mr. President. In the appropriation States we do not agree that the Department of the Interior has any authority over irrigation. We say that it has none whatsoever.

Mr. OVERTON. I think the Senator is in error.

Mr. JOHNSON of Colorado. In my State of Colorado irrigation is entirely and absolutely a State function.

Mr. OVERTON. The John Martin project in Colorado is a flood-control project, and certainly the waters of that dam and reservoir are utilized for irrigation purposes.

Mr. JOHNSON of Colorado. That is very true. It is expected that the waters will be used for irrigation purposes in the appropriation States of Kansas and Colorado; but the water belonged to the people of those States before the construction of the John Martin Dam.

Mr. OVERTON. Let me say to the Senator that this amendment would not take one drop of water from the people of Colorado.

Mr. JOHNSON of Colorado. No; but in connection with the John Martin Dam the Department of the Interior was not consulted as to the irrigation priorities and rights.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I think I understand the point of the Senator from Colorado, but I believe that the Senator from Louisiana has given the proper interpretation. This is the item which has to do with investigations of flood-control projects.

Mr. OVERTON. The Senator is correct.

Mr. CHAVEZ. We have a similar situation in New Mexico. We are jealous of our water rights and we do not want the Department of the Interior to interfere with those rights. Nevertheless, if the Army Engineers should make the investigation under this authority it might be possible that such investigation would

prove that we could have a reclamation project. That has nothing whatever to do with the rights. Those are determined by Colorado and New Mexico.

Nevertheless, I feel that it is possible to make a joint investigation including an investigation for flood protection, provided it is understood that the amendment as drawn by the committee does not in any way interfere with the water rights of the individual States.

Mr. OVERTON. It does not in any way interfere with them; it does not undertake to do so.

Mr. McCARRAN. Mr. President—

Mr. OVERTON. Let me respond first to the inquiry, then I will yield to the Senator. It simply makes it mandatory on the Chief of Engineers to consult the departments that have any interest whatsoever.

Mr. JOHNSON of Colorado. Mr. President—

Mr. OVERTON. Allow me to proceed for a moment, please.

Mr. JOHNSON of Colorado. I have not interrupted the Senator, but I should like to do so.

Mr. OVERTON. The Senator was rising for that purpose. I should like to make a statement. Under the law today the Chief of Engineers, who has charge of flood-control projects, can consult the Department of the Interior in any investigation he is making; he can consult the Senator from Colorado, and there is nothing to stop him doing so; he can consult anybody he pleases to consult. The sole purpose of this amendment is to provide in the case of a multiple-use project that the different departments shall consult one with the other; but nothing can be done until the Congress of the United States authorizes the project to be undertaken. They can consult all they please; they can devise all they please; they can plan all they please; but they cannot do one thing until the Congress of the United States authorizes it to be done.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield now?

Mr. OVERTON. I yield.

Mr. JOHNSON of Colorado. The Senator from Louisiana a moment ago said he wanted this made a vehicle for consulting those who have an interest. That is the very point. The Department of the Interior has no interest whatsoever in our irrigation waters, and we do not want, by implication or otherwise, to authorize the Department to have any interest in our waters. The water belongs to us. If the Senator wants the Army engineers to go to those who are concerned, who have authority over the matter, and who have an interest in it, he should have them consult with the State authorities in States that have the right of appropriation under the doctrine of appropriation of irrigation waters. They are the ones to consult—not the Department of the Interior.

Mr. OVERTON. That may be true with reference to Colorado, but remember this bill embraces flood-control projects covering the whole United States.

Take the Conchas Dam in New Mexico as an example. It may be that the waters in the reservoirs back of dams may be

used for irrigation purposes; it may be that the people of Colorado will refuse to use any water that is by a flood-control project backed up in any dam or reservoir and will have nothing to do with it; but that is not true, I take it, generally throughout the United States. I wish to emphasize that I think that the Senator from Colorado is simply seeing ghosts and fighting windmills. There is no authority vested in anybody except to make examinations—that is all—and report back to Congress.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. OVERTON. I yield.

Mr. CHAVEZ. It is not understood by the chairman of the subcommittee now handling the bill or by the members of the committee that this provision does in any way interfere with the rights of the individual States?

Mr. OVERTON. That is absolutely correct.

Mr. CHAVEZ. All the power it gives is to investigate the possibilities of a project, whether it be for flood protection, irrigation, or perhaps drainage.

Mr. OVERTON. That is absolutely correct.

Mr. JOHNSON of Colorado. Would the Senator mind putting that in the bill?

Mr. OVERTON. It is already in the bill; there is nothing more authorized than what the Senator from New Mexico has very correctly and very succinctly stated.

Mr. McCARRAN. Mr. President—

Mr. OVERTON. I yield to the Senator from Nevada.

Mr. McCARRAN. In order to clarify this matter, let it be understood that the public-land States, the irrigation States of the Union, claim and demand sovereignty over the natural waters flowing out, in, or over those States. That claim, that demand, and that right we are not surrendering by either word or expression or inference. Our zeal in this matter is due to our desire to have nothing creep into this bill which would for a moment imply that for Federal aid, Federal money, Federal control, or unification of any kind whatever, we would surrender one jot or tittle of the sovereignty which we claim over the natural waters within our States and flowing into our States. If the Senator is ready to accept that doctrine, and say that it is in this bill, and that the language implies nothing else, I shall be glad to have him, as the Senator in charge of the bill, say so.

Mr. OVERTON. I am afraid I cannot go quite so far as the Senator suggests in reference to this amendment and say that I should favor a provision of law under which the Federal Government may exercise no authority whatsoever in respect to waters in the different States; otherwise we would just as well stop the flood-control program now. I will say, however, to the Senator, in all candor and fairness, that there is nothing in this amendment which would give any authority to the Federal Government in respect to the control or use of any water in any State. The amendment relates only to the preparation of plans,

and the purpose of the amendment is to direct the Chief of Engineers to consult with the various agencies.

Mr. McCARRAN. But, as I read it hurriedly, it provides that the consultation shall be had with the Secretary of the Interior. It is our position that the consultation should be had with, and the authority should be received from, those in authority in the respective States.

Mr. OVERTON. I will say that General Schley, testifying before the committee, stated—I think that his testimony is on pages 15 and 16 of the Senate hearings—that this is exactly what the Chief of Engineers is doing today, and he is doing it under an Executive order issued a year and a half or 2 years ago, requiring the Chief of Engineers, in making such investigations, to consult with other agencies of the Government. The amendment does not depart from the accepted practice. Certainly there is no reason why the Chief of Engineers should not consult with the Secretary of the Department of the Interior or with the Secretary of War, for that matter, or with the Secretary of the Navy. Suppose a matter of national defense is involved; why should he not consult with the Secretary of War and the Secretary of the Navy? If a flood-control project is of value to the national-defense program he should consult with the Secretary of War and the Secretary of the Navy.

Mr. McCARRAN. Mr. President, let me say to the Senator there are two uses which may be made of water: One is the commercial use for navigation; the other is its storage application to arid lands. It is the natural water rising in a State and flowing through a State or on the boundaries of a State in which we are interested in. Those of us who come from the arid and semiarid West are interested primarily in the use to be made of natural water for the reclamation of arid and semiarid soil. We have in mind that we have set up our own laws and our own regulations for the conservation of water and for the economic use of water. We do not surrender, and never have surrendered, the sovereignty over those waters to the Federal Government, and we want nothing to appear in this bill, or any other bill, that would imply a surrender on our part of any of that sovereignty.

Mr. OVERTON. My recollection is that the Senator from Wyoming and I debated this issue 2 years ago. He took the view that a provision which would permit the Federal Government to enter into a State for flood-control purposes, and to construct dams and condemn lands for that purpose was absolutely unconstitutional. Since then the Supreme Court of the United States has held that the Federal Government has ample authority in that regard. That, however, is entirely apart. That battle has previously been fought. There is no intention on the part of the Senate Committee on Commerce, and I am quite sure there is no intention on the part of the President, to undertake to do anything else in this amendment than to authorize the Chief of Engineers to consult with certain departments.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. O'MAHONEY. One of the chief difficulties about drafting legislation is, I think, to incorporate into language what is intended by those who are attempting to draw a bill. I am very happy to have the Senator from Louisiana say there is no intention upon the part of the Committee on Commerce to invade the prerogatives of the States; and I feel that that is, of course, the position of the committee.

Mr. OVERTON. In this amendment.

Mr. O'MAHONEY. In this particular amendment. The Senator may desire to invade the prerogatives of the States in other provisions of the bill which are not now under discussion.

Mr. OVERTON. If we did not do that, we would not have a national flood-control program.

Mr. O'MAHONEY. I suppose so; but, so far as we are here concerned, the question now is simply this amendment.

Let me say that there are two questions involved here, as I see the matter: First, the one which I raised with the Senator from Louisiana earlier in the session, when we discussed the effect of this language which gives to the Chief of Engineers the initiative. He, and he only, under this amendment, is empowered to decide when a question involving any one of these other five fields of enterprise is concerned. As I read the amendment the first time today, I was under the impression that it included three fields. Now I see that it includes five; so I ask the Senator if he will be good enough, with respect to that phase, to accept a perfecting amendment.

The second question involved here is that which has been raised by the Senator from Colorado [Mr. ADAMS], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Nevada [Mr. McCARRAN], and others, speaking for the public-land States, namely, the right of those States to control the waters within their own boundaries so far as irrigation is concerned. I concede that it is not the intention of the Committee on Commerce to invade the States' power over irrigation, but that it is only intended that the Bureau of Reclamation in the Department of the Interior shall be called in when a question involving Federal reclamation is concerned.

Therefore, I ask the Senator if he will accept the following amendment:

Let us, in line 6, page 30, strike out the word "whenever," and in lines 8 and 9, strike out the words "finds it desirable to include in such examination or survey an investigation of," and insert in lieu thereof the words "of any project that includes," so that the first four lines will read:

And provided further, That the Chief of Engineers in making any preliminary examination or survey for flood-control purposes of any project that includes one or more related purposes of water use and control—

If the Senator will accept that amendment, it will have the effect of making it obligatory upon the Chief of Engineers to call in the other agencies whenever a project involves any one of them.

Then, in order to eliminate the danger of invasion of States' rights, I should like to strike out the word "he" after the word "control" in line 10, and insert the words "for which provision is made by Federal law," so that it would be clear that what we are dealing with now is a project for which there is existing law, either statutory or constitutional, giving the Federal Government authority either to build reclamation projects, to construct recreational centers, to conserve aquatic and wildlife, to investigate sources of power, to abate water pollution, or to provide for domestic and industrial water supply.

The Senator will note from the last two lines of the amendment that apparently, in the conception of the committee, the Chief of Engineers would have the right to call in the Federal Security Agency not only to provide against water pollution but to provide for domestic and industrial water supply. I can conceive of nothing that is more local than domestic water supply, and I am sure it is not the intention of the Senator or of the committee to invade the authority of the States with respect to existing water supplies; is it?

Mr. OVERTON. Does the Senator consider a water supply a local project?

Mr. O'MAHONEY. So long as we have a union of separate, sovereign States, I do.

Mr. OVERTON. Does the Senator consider that a stream flowing through a number of States which is polluted as it goes through the different States—

Mr. O'MAHONEY. I am not talking now of pollution; I am talking about domestic water supply.

Mr. OVERTON. Permit me to conclude—which pollutes the domestic water supply in the different States, is a purely local project?

Mr. O'MAHONEY. I have no objection to the Federal Government doing whatever may be necessary to be done under Federal law, but I do not feel that the Congress should delegate to the Chief of Engineers unrestricted power.

Mr. OVERTON. No power at all is given to him.

Mr. O'MAHONEY. But the power is granted to him in this amendment to decide whether any one of these five fields is involved, and he alone is the judge.

Mr. OVERTON. He may do it now and he does it, and whether we say so or not he is going to do it. The only difference is that the amendment makes it mandatory on him to do it. He does it anyway.

Mr. O'MAHONEY. The language does not at all make it mandatory. That is one of the objections I have to it.

Mr. OVERTON. Let us analyze the amendment for a few minutes. I have the floor.

Mr. HATCH. Mr. President, before the Senator proceeds will he permit an interruption?

Mr. OVERTON. Certainly.

Mr. HATCH. I desire to ask the Senator a question on a subject which perhaps he has already covered. I have just come to the floor of the Senate and have been listening to the debate.

I should like to have the Senator explain, as he analyzes this amendment,

what the purpose of it is and why the committee saw fit to include this amendment, especially when this authority has already been given and is already possessed; and also why were irrigation and the other subjects included in a strictly flood-control bill?

Mr. OVERTON. I regret that the Senator from New Mexico was absent when the explanation was made. Briefly it is this:

The matter was first brought to the attention of the Senate Committee on Commerce in a letter addressed by the President to both Houses in which he made this recommendation, and went further and specifically set out the provisions which he desired to have incorporated in the bill. He simply recommended that they be incorporated in the bill. When the Chief of Engineers was upon the stand I asked him whether the proposed amendment would in any way alter or modify the present practice of the Chief of Engineers. He replied that it would not; that whenever the Chief of Engineers or the Army engineers are considering a flood-control project that has relation to some other agency—as, for instance, an agency having to do with water pollution, or an agency having to do with power, or an agency having to do with irrigation or reclamation—the Chief of Engineers consults with the heads of the different departments and agencies before he makes his recommendation to the Congress.

The amendment now suggested gives no authority to the Chief of Engineers or the Federal Power Commission or to anyone in the Department of the Interior. I started to analyze it. Let us analyze it for a moment, and I think it will be made clear. It reads:

And provided further, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes—

I call attention to the fact that it is when the Chief of Engineers is making a preliminary examination or survey for flood-control purposes. It is not when the Chief of Engineers is executing a project authorized by Congress; it is when he is making an examination or survey with a view of ultimately making a report to the Congress. The amendment proceeds:

finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control—

It is well known that many of these projects contemplate multiple uses of water, so that when the Chief of Engineers, in making such survey—

finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall—

That is the mandatory part. Today the Chief of Engineers does that very thing, but this amendment requires him to do so—

he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wild-

life, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HATCH. I am seeking information as to the meaning of the amendment. The Senator has pointed out that when the Chief of Engineers, in making a preliminary survey, finds it desirable to include an examination for some of the other purposes, then he shall request participation, and so forth. That is mandatory.

Mr. OVERTON. Yes.

Mr. HATCH. The words "which is hereby authorized" appear in parentheses. That means that the department which is requested by the Chief of Engineers "is hereby authorized."

Mr. OVERTON. To participate in the examination.

Mr. HATCH. How far does that go?

Mr. OVERTON. Merely to the examination and survey, that is all.

Mr. HATCH. Authority is given which is not now possessed by the Chief of Engineers. He does not now have the authority.

Mr. OVERTON. I beg the Senator's pardon; he does have the authority. He not only has the authority, but he acts under it all the time. The Chief of Engineers is the one who makes all preliminary examinations and surveys for flood-control projects.

Mr. HATCH. He does not do it except upon express authority of Congress.

Mr. OVERTON. Indeed, Congress authorizes him to do so.

Mr. HATCH. Congress authorizes it, and then he requests one of the departments to participate. Is there any authority of law now existing giving him authority to request participation of some other department?

Mr. OVERTON. There is no statutory authority.

Mr. HATCH. Where does he get the authority which the Senator says he possesses?

Mr. OVERTON. He has the authority, just as much as the Senator from New Mexico would have authority to consult with the Governor of his State, or with the legislature, or with any of his constituents in reference to the advisability of his supporting certain proposed legislation or recommendations.

Mr. HATCH. That is the authority of which the Senator speaks when he says the Chief of Engineers now has authority. There is not authority under existing law.

Mr. OVERTON. No; except that all flood-control works, examinations, and surveys are conducted under the supervision of the Chief of Engineers according to existing law.

Mr. HATCH. If he has such authority, and it is working out satisfactorily, why require an act of Congress, or an amendment such as that proposed here today? What is the purpose if the authority already exists?

Mr. OVERTON. It is in order to make it mandatory. That is the amendment suggested by the President, that is the amendment suggested by the committee. Whether it is incorporated in the bill or not, I think there will be that correlation of consultation and activities between the different departments.

Mr. HATCH. That was exactly the point which I had in mind. The Senator has just stated that the bill now makes it mandatory. It might be said that whenever Congress authorizes a flood-control project in any State of the Union, the Chief of Engineers must invite the participation of the Department of the Interior and other departments.

Mr. OVERTON. If I may interrupt the Senator, this does not relate to the authorization of a project; it relates only to the preliminary examination and survey, before a project is even authorized, in order that the Chief of Engineers may determine whether or not he shall make a recommendation.

Mr. HATCH. I understand that perfectly, but under the provisions of the bill the authorities can come out to any State of the Union and investigate the domestic water supply of the smallest town, perhaps make an *ex parte* investigation and report which would preclude the town, years later perhaps, getting a W. P. A. grant in assistance, and developing its own water supply. I am trying to get at what the effect and meaning of the amendment is, how far it might go.

Mr. OVERTON. I have tried to make that very clear. It is not going to have any effect at all at present.

Mr. CHAVEZ. Mr. President, I think I understand what the Senator from Louisiana has in mind, but in order to clarify it, so that Senators from the public domain States may have it in mind, I may say that I can readily see the necessity for some such provision as that urged whenever the Army engineers are investigating or making a survey for protection against floods, and there appear to be possibilities of irrigation, for instance, or the building of a dam for power development. I cannot see anything wrong with that of itself, provided we strictly understand, and it is the idea of the committee, notwithstanding they could investigate for protection against flood, possibly for irrigation, nevertheless the irrigation rights of the individual States will not be interfered with by whatever investigating agency of the Government makes the survey.

Mr. McCARRAN. Not only irrigation rights, but control over the waters within the boundaries of the State.

Mr. CHAVEZ. Yes; so that it does not in any way interfere with those rights.

Mr. O'MAHONEY. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. Certainly.

Mr. O'MAHONEY. It was precisely to draw that distinction that I asked the Senator from Louisiana to consent to strike out the word "irrigation," which includes State rights, as well as Federal rights, and to insert in lieu thereof the words "Federal reclamation." We have a Federal reclamation law, under which we are accustomed to operate.

Mr. CHAVEZ. At that point I may say that I would not object to the Army engineers inviting the participation of the States.

Mr. O'MAHONEY. Certainly; none of us would object to that. If the Senator from Louisiana would merely consent to the substitution of the words "Federal reclamation" for "irrigation", the debate would be eliminated, so far as that is concerned.

Mr. OVERTON. I shall be glad to take to conference any amendment that is offered, and see what can be done with it.

Mr. O'MAHONEY. Then let me read the amendment as I should like to see it worded, so that the Senator can get the idea.

Mr. OVERTON. The Senator can offer an amendment to the amendment.

Mr. O'MAHONEY. The Senator just stated that he would take to conference any amendment I might offer.

Mr. OVERTON. Along the line the Senator suggested.

Mr. O'MAHONEY. If the Senator will bear with me, let me read it. It should be understood that I am merely offering this on the floor, and I have had no more opportunity to consider it than has been offered during the debate; but I am seeking to overcome the objections which have been raised to the committee amendment by those of us who speak for the public-land States and not at all to interfere with the objective which the Senator from Louisiana and the Committee on Commerce have in mind.

The amendment as I would amend it would read as follows; and I shall begin from the beginning:

And provided further, That the Chief of Engineers in making any preliminary examination or survey for flood control purposes—

And here I change it—

of any project that includes one or more related purposes of water use and control for which provision is made by Federal law, shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

Mr. President, that is the modification of the amendment submitted by the committee which I offer to the Senator from Louisiana, and which I trust he may accept.

Mr. OVERTON. Mr. President, I think I have made my position as clear as it is possible to make it. If the Senate wishes to adopt the modified amendment, of course, I shall have done the best I can with respect to the matter.

Mr. O'MAHONEY. I offer the amendment as a perfecting amendment.

The VICE PRESIDENT. The question is on agreeing to perfecting amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] to the committee amendment.

The amendment to the committee amendment was agreed to.

The VICE PRESIDENT. The question now is on the committee amendment, as amended by the perfecting amendment offered by the Senator from Wyoming.

Mr. ADAMS. Mr. President, while I feel that the perfecting amendment is somewhat beneficial, I do not believe it meets the danger inherent in the committee amendment. Those of us who come from the States where irrigation is necessary are very sensitive, very apprehensive, about our water. The water in our streams, our irrigation water, is the lifeblood of the communities in which we live. When we find any phrasing in a bill, or any action by a department, dealing with the irrigation waters, we are naturally uneasy. We know that the people in other sections of the country do not understand our problems. Some of us do not understand the problems resulting from floods on the Mississippi.

Others do not understand the problems of those who have too little water. In the West, where we depend absolutely on being able to spread the waters over our land, we have been uneasy from year to year because of what seemed to us to be an indication of a Federal disposition to take control of the waters of our western streams. We are uneasy about it. Perhaps the Federal Government does not mean to do it, but we continually apprehend that the hand of the Federal Government is reaching out in that direction. We have been still more concerned since there have been some recent decisions in the Supreme Court, such as the New River decision.

The Senator from Louisiana says the provision in question merely is one directing investigation. On the face of it that is all it is, but this is a flood-control bill, and as my colleague from Colorado [Mr. JOHNSON] said, let us keep it a flood-control bill. Why make an investigation of something unless it is proposed to follow up the investigation with the exercise of some claimed authority?

The Senator from Louisiana says that the engineers can do all of this now. If they can, why put it in the bill? If we do not agree to this amendment we take nothing from them. If we adopt the amendment we provide for an investigation of the purposes of water use and control. The word "control" is a very disturbing word to those of us from the West. We do not want someone else's control. If the engineers investigating a flood-control project are to investigate the use of the water and its control, why do they make the investigation of the control unless they are contemplating some Federal action looking toward control?

We in the States are glad to cooperate with the engineers. Multiple-use projects are developing. But we are unwilling that in the multiple-use projects there shall be an abdication of a surrender by the States of their power and right over their streams and the use of their water.

The bill goes on to provide for participation by the Department of the In-

terior in any investigation relating to irrigation development. Irrigation development? We would like to take care of irrigation development ourselves. The bill goes on to cover recreational development of reservoirs and waterways, again reaching to a point which causes us to be uneasy. We are not concerned with conservation of aquatic and wildlife. That has been a Federal matter.

The Federal Power Commission is brought into this amendment. Then investigations relating to electric power development are brought in, and then, as pointed out by the Senator from Wyoming [Mr. O'MAHONEY], we come down to the question of provision for domestic and industrial supply. Mr. President, if anything is local it is domestic water supply.

The Senator from Louisiana coupled with that the matter of pollution, as if the investigation was of the problem of polluting a domestic water supply, but the provision is broader than that. The right to investigate pollution is one thing. An additional and independent thing is the question of domestic and industrial water supply.

Mr. President, I hope the apprehension of those of us from the Western States will be regarded, and that there will not be added to a flood-control bill provisions which give to the engineers no authority, as the Senator says, beyond that which they now have, but which, if added to the bill, would leave the implication or the inference that there is a Federal power over these matters.

Mr. HATCH. Mr. President, I desire merely to say a word in opposition to the entire amendment as proposed by the committee, even as modified by the Senator from Wyoming. I shall not restate the arguments which have been made by other Senators from Western States, or the one which has just been made by the Senator from Colorado [Mr. ADAMS], but I want to add one thought or two, and I do so without any disrespect whatever for the Committee on Commerce.

I have just glanced over the list of members of the Committee on Commerce, and I note not a single member of the Committee on Commerce who comes from a Western State, or a State concerned with irrigation problems and the use of water as we are concerned with it in the West. I think it can be taken for granted that Senators who are not intimately connected with such questions do not have the viewpoint and perhaps the understanding of the questions which we have who reside in that section of the country.

In the Senate we have a standing Committee on Irrigation and Reclamation, and I submit that an amendment of this nature, or any bill or amendment which relates directly to irrigation, as this amendment does, should at least have had some consideration by the Committee on Irrigation and Reclamation, and perhaps by some of the other committees which would be affected by other provisions in the amendment.

It is true the Senator from Louisiana says that the amendment was adopted at the request of the President of the United States, and that it confers no power

which is not already possessed. I am always suspicious of legislation, Mr. President, which is sought to be enacted, when it is said that it does not give any power which does not now exist, because if that be true, if there is nothing to be gained by such legislation, why enact it? Why pass a bill which gives nothing and confers no more authority than already exists? The natural and, of course, the logical answer to that is that the provision does have some purpose. It does create something. It does confer some authority, or it would not be offered. Certainly the Chief Executive of the Nation would not request legislation that was meaningless and had no purpose. We have tried briefly to analyze it and find out the meaning. Frankly, I do not know the effect or the meaning of the amendment.

Mr. OVERTON. I shall read the statement of the President, which is very brief.

Mr. HATCH. I shall read the statement of the President, to show that in this particular amendment the committee does not even follow the suggestion of the President. I have a copy of the hearings before me.

Mr. OVERTON. I shall read directly from the message, if the Senator has no objection.

Mr. HATCH. I have no objection.

Mr. OVERTON. In his letter of July 3, 1941, the President said:

The bill also authorizes additional examinations and surveys for flood control. I believe that these surveys, which should not be allowed to lag, could be correlated more effectively in the future if the authority of the Corps of Engineers to revise and extend the type of basin surveys first authorized in the River and Harbor Act of January 21, 1927, could be broadened somewhat—

Mr. HATCH. The amendment does broaden the authority.

Mr. OVERTON. That is in relation to the Secretary of War being authorized to make preliminary examinations and surveys. That amendment has already been adopted. This is the statement that is applicable to the present amendment. I quote from the President:

and if provision could be made, at the same time, for the active participation of other Federal agencies concerned with multiple-purpose aspects of the surveys.

Mr. HATCH. Has the Senator finished reading the message?

Mr. OVERTON. Yes.

Mr. HATCH. Attached to that message from the President of the United States were certain suggested amendments which were submitted to the committee, among which is the amendment now under discussion. As I previously stated, it is apparent that the President of the United States had some purpose in mind. The purpose was to broaden the scope of the Board of Army Engineers, or the authority which they are now exercising. The amendment which was sent to the committee by the President reads as follows:

And provided further, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and

control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provisions of domestic and industrial water supply—

Thus far the language of the amendment submitted to the committee by the President is exactly the language of the committee amendment contained in the pending bill. But the amendment suggested by the President contains this further provision:

And in his report to the Congress on any preliminary examination or survey the Chief of Engineers shall include the reports of the participating Federal agencies.

I do not know why that was eliminated by the committee. In the amendment which the President suggested, the reports of the participating agencies were also to be submitted to Congress. For some reason the committee eliminated that provision. Congress is not even to have the benefit of the reports of the participating agencies. I draw no inference from that circumstance. I simply do not understand what the committee had in mind, and why those reports are withheld from the Congress, when the President had requested that they be made.

In view of the fact that the pending amendment relates strictly to irrigation and reclamation, I submit that at least part of the amendment ought to be defeated. I think the entire committee amendment should be defeated, until the whole question is studied by a committee which has jurisdiction of those subjects.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 30, beginning in line 6, as amended.

The amendment, as amended, was rejected.

The VICE PRESIDENT. The clerk will state the next committee amendment.

The next amendment was, on page 31, after line 6, to insert:

Red River in the vicinity of Shreveport, La., with a view to determining the advisability of providing bank-protection works.

The amendment was agreed to.

The next amendment was, on page 34, after line 20, to insert the following new section:

SEC. 8. That section 2 of the Flood Control Act of August 28, 1937, as amended, is hereby further amended to read as follows:

"That the Secretary of War is hereby authorized to allot not to exceed \$600,000 from any appropriations heretofore or hereafter made for any 1 fiscal year for flood control, for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control; *Provided*, That not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any 1 fiscal year."

The amendment was agreed to.

The next amendment was, on page 35, line 8, to change the section number from 8 to 9; in the same line, after the words "sum of", to strike out "\$260,000,000" and insert "\$275,000,000", and in line 15, after the word "departments", to strike out the comma and "and the additional sum of \$5,000,000 is authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938", and insert: "There is also hereby authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938, and which the Department is not otherwise authorized to undertake, such additional sums as may be necessary for that purpose."

The amendment was agreed to.

The VICE PRESIDENT. That completes the committee amendments. The bill is still before the Senate and open to further amendment.

Mr. OVERTON. Mr. President, since the bill was reported by the Senate Committee on Commerce recommendations have been submitted by the Chief of Engineers with reference to the construction of a flood-control project on Buffalo River Basin. In that connection I offer an amendment, which I send to the desk, and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. On page 7, after line 13, it is proposed to insert the following:

BUFFALO RIVER BASIN

The project for local flood protection on Cayuga Creek at Lancaster, N. Y., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 326, Seventy-seventh Congress, first session, at an estimated cost of \$575,000.

The amendment was agreed to.

Mr. OVERTON. I offer another amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. On page 34, following line 9, it is proposed to insert a new section, as follows:

SEC. 7. That 25 percent of all moneys received and deposited in the Treasury of the United States during any fiscal year on account of the leasing of lands acquired by the United States for flood-control purposes shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such property is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such property is situated: *Provided*, That when such property is situated in more than one State or county the distributive share to each from the proceeds of such property shall be proportional to its area therein.

It is also proposed to change the numbers of the succeeding sections from 7, 8, and 9, respectively, to 8, 9, and 10, respectively.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment, which I send to the desk and ask to have stated. The amendment is not to authorize construction but to authorize in one case a review of a survey and in another case a survey, in connection with two small streams in my State.

The VICE PRESIDENT. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

Polecat Creek, Creek County, Okla.
Walnut Creek, Love and Carter Counties, Okla.

Mr. OVERTON. Mr. President, I have no objection to that amendment.

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. On page 32, after line 5, it is proposed to insert the following:

Barren River, Ky. and Tenn., with special reference to a dam in the vicinity of a site known as Barren No. 2.

Mr. BARKLEY. Mr. President, I understand that the Senator from Louisiana has no objection to this amendment. I wish to say just a word about it.

A survey was made in the vicinity of a site known as Barren No. 2, in Barren River in Kentucky, for the general purpose of including it in the Ohio Valley flood-control program.

But, in order to determine whether there may be available any funds out of appropriations hereafter made under this bill for that project, it is desirable that a special survey be made of that vicinity, including Barren No. 2 and a location known as Jew's-harp project, 6 or 8 miles above that. I have offered this amendment after conferring with the Army engineers, who say it will be helpful to them in determining future appropriations for the project.

Mr. OVERTON. I so understand that the amendment authorizes a survey. There is no objection to it.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. CONNALLY. Mr. President, I should like to ask the Senator from Louisiana a question which will take but a brief time.

Mr. OVERTON. I shall be very glad to answer it if I can.

Mr. CONNALLY. On pages 10 and 11 appears an item for the Colorado River Basin, Texas, and the Brazos River Basin, and so on. Under the Brazos River Basin, the plan for the Whitney Reservoir on the Brazos River in Texas is part of a project which already is partially in operation; that is to say, the dam already has been built on the upper reaches of the Brazos River, and it is now just about beginning to produce electrical energy and power for a great area. The Whitney Reservoir is down the river and is a part of the general plan. Can the Senator from Louisiana give us any assurance or any forecast as to when

an appropriation may be recommended for that particular project?

Mr. OVERTON. No; except to say that I understand it is the policy of the administration to put under execution all power-producing projects as rapidly as the budgetary requirements will permit.

Mr. CONNALLY. I will say to the Senator that two of the chief objects in view in connection with the projected reservoir known as the Whitney Reservoir are flood-control and the production of power. The reservoir is located in an area in which public power could be disposed of, I think, profitably for the Government. The Government also has in mind the possible location of a munitions plant near this site, if and when the dam is constructed. I was wondering if those considerations would not hasten a request for an appropriation for that particular site.

Mr. OVERTON. I think they would; but, of course, that is a matter to be determined primarily by the Appropriations Committee.

Mr. CONNALLY. I understand that; but the Senator from Louisiana is a distinguished member of that committee as well as of the Commerce Committee, and I thought one side of him would consult with his other side when he got in the Appropriations Committee, and then that he would remember about being on the Commerce Committee, and that would speed up this matter.

Mr. OVERTON. If one side of me were to consult with the other side, I am sure the result would be very satisfactory to the Senator from Texas, and that might bring him into a triangle.

Mr. CONNALLY. I thank the Senator. These items, as I understand, are now only authorizations.

Mr. OVERTON. Yes; authorizations.

Mr. CONNALLY. But later on they are supposed to be followed by appropriations?

Mr. OVERTON. Yes; later on they will be followed by appropriations.

Mr. CONNALLY. I am desirous of having the Senator show the same zeal in securing an appropriation that he has shown in securing the authorization; and I am sure he will do so.

Mr. OVERTON. It is my understanding that any project which is of value to the defense program will have a high priority rating.

Mr. CONNALLY. I thank the Senator.

The VICE PRESIDENT. The bill is still open to amendment.

Mr. TRUMAN. Mr. President, I ask unanimous consent that the committee amendment beginning at line 4, on page 25, be reconsidered. I should like to offer to it the amendment which I send to the desk.

The VICE PRESIDENT. Is there objection to the reconsideration of the amendment? The Chair hears none. The clerk will state the amendment offered by the Senator from Missouri to the committee amendment.

The CHIEF CLERK. On page 25, between lines 9 and 10, it is proposed to insert the following:

The project adopted by the act of June 22, 1936, to provide flood protection for the Kansas Citys, Kans. and Mo., is hereby modi-

fied to include cut-offs in the vicinity of Liberty Bend substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 722, Seventy-sixth Congress, third session, and to include such other supplemental flood-control works at the Kansas Citys and in adjacent areas on the Missouri River and the tributaries thereof entering the Missouri River between approximate Missouri River mile 386 and approximate Missouri River mile 356, 1932 mileage, as the Secretary of War and the Chief of Engineers deem advisable: *Provided*, That the construction of the up-river portions of such project shall be given priority over the construction of such cut-offs in the vicinity of Liberty Bend.

Mr. TRUMAN. Mr. President, for some years a flood-control project has been under consideration and under construction at the junction of the Kaw River and the Missouri at Kansas City. Most of us thought the plans had been completely drawn up and a program outlined for the construction of the whole lay-out. Just about 3 or 4 months ago—hardly that long—I was informed that in order to lower the flood waters at the mouth of the Kaw River at Kansas City about 1 foot, a cut-off would have to be made at what is known as Liberty Bend, a long neck of land that sticks out in Jackson County toward Clay County, Mo. A bridge costing \$1,200,000 has been built, and various other improvements have been made, and substantial sums have been spent by the War Department engineers to hold Liberty Bend as a part of the river.

Upon examination, I found that a large number of flood-control projects have been constructed on the west side of the Missouri River, opposite the Kansas City airport, for the protection of Kansas City, Kans., and for the protection of the central industrial district in Kansas City, Mo., but that not even a survey has been made for the part of the flooded section of Kansas City known as the East Bottoms, in the Blue River, and that no intent exists to make such surveys, or to protect that part of the flooded area around Kansas City. Due to the fact that until this year we have not had any high water for the past 12 years, no effort has been made to make a complete plan, although all of us interested in this matter had supposed that the engineers had made a complete plan.

When I ascertained these facts I suggested to the engineers that they furnish the Senate Committee on Commerce a complete and finished plan for the whole area, because \$10,000,000 had been authorized in 1933 to complete the whole project. Such a survey has never been presented to the Committee on Commerce, although I requested the Committee on Commerce to ask for it.

It occurred to me, therefore, that the whole project should be taken into consideration in the construction of the flood-control projects around Kansas City, because one end of it is just as important, so far as flood control is concerned, as the part of it with which special interests are concerned. Therefore, I went before the Commerce Committee and asked them to eliminate this amendment; and in the meanwhile I have had an opportunity to go into the matter in some detail, and I have prepared the

amendment which I have now asked the committee to accept.

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). The question is on agreeing to the amendment offered by the Senator from Missouri to the committee amendment.

Mr. OVERTON. Mr. President, the provision on page 25, lines 4 to 9, authorizing the construction of the Liberty Bend cut-off, was inserted in the bill in the House. At the suggestion and at the request of both the senior Senator and the junior Senator from Missouri, the committee amended the bill by eliminating the authorization for the Liberty Bend cut-off; and that action on the part of the committee was satisfactory to both Senators, as I understood. Since then the junior Senator from Missouri has concluded that it might be well to substitute for the House provision the amendment which has just been read.

There are several objections to the amendment. The first is that there has been no report by the engineers on the modification of the project to which the Senator refers.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. TRUMAN. We had supposed that the reports on these projects had been made years ago. This matter has been pending for nearly 40 years, and it was just by accident that those of us interested in the whole project found that the thing was being done piecemeal, and we found that the only way in which we could possibly get any consideration of the project was by the method we are now pursuing.

Mr. OVERTON. I was very sympathetic with the position taken by both Senators, and I recommended to the committee that the House provision be eliminated. That was done. As the Senator has said, a review report has been ordered by the Senate Committee on Commerce. If the junior Senator from Missouri desires to wait until that review report is presented to Congress, we can then consider the project in the manner in which the Senator from Missouri now desires it to be considered. But what the Senator from Missouri undertakes to do under this amendment is to authorize something without any consideration being given to it by the Chief of Engineers, the Board of Engineers for Rivers and Harbors, or the committee. It is simply to authorize the Chief of Engineers to modify the project so as to include the Blue River project. There is no estimate as to cost. There is nothing upon which the Senate can intelligently act. I think it is bad legislation in respect to flood-control projects simply to authorize the Chief of Engineers to execute a project which the Congress has never considered at all.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Ever since I have been a Member of the Senate, now something over 8 years, I have been extremely interested in the question of flood control and flood protection not

only at Kansas City, Mo., but at Kansas City, Kans., because the situation of Kansas City, Kans., is intimately connected with that of Kansas City, Mo. I was very instrumental—at least, I flattered myself that I was; I was certainly very active, very much interested—in bringing about the authorization of this so-called Kansas City project 4 years ago. At that time neither the city government of Kansas City, the newspapers of Kansas City, nor any Kansas City organization, so far as I recall, took the slightest interest in the project. At least, none of them ever communicated with me about it, although I was one of the members of the committee. As a matter of fact, at that time I was chairman of the Subcommittee on Flood Control.

Mr. TRUMAN. Mr. President, if my colleague will yield, I think the whole discussion took place between the junior and senior Senators from Missouri.

Mr. CLARK of Missouri. The Senator from Louisiana has the floor, but I am very glad to have that comment from my colleague.

Mr. President, that project was authorized 4 years ago. It has been substantially carried into effect, at least to a large extent, on the Kansas side, but nothing has been done on the Missouri side. As a matter of fact, the Army engineers have been flagrantly neglectful of their duty under the plain provisions of the act of Congress. Now they come up, and, for no reason whatever that is apparent to anybody, they try to tie onto this Kansas City project—for which they already have all the authority of law that they possibly can need—an entirely different project having to do with the so-called Liberty Bend, a number of miles down the Missouri River, which would work a very flagrant and grave injustice on the city of Liberty, Mo., and on farmers down below.

I myself have been in communication with the War Department; my colleague [Mr. TRUMAN] has been in communication with the War Department; Representative DUNCAN, who represents the Third Missouri District in Congress, has been in communication with them; and we have all been advised by the Corps of Engineers that they were conducting a reinvestigation of the project. As I say, there is no connection whatever between the Kansas City project and the Liberty Bend project except an artificial connection which the Corps of Engineers, for reasons of their own, have sought to give to it by going out and scaring the people of Kansas City and telling them that they will get no improvement unless they proceed to pitch in and put the Liberty Bend cut-off through as well.

There is only one fair thing to do in this matter to protect the rights of all concerned; and, as far as I am concerned, they are all constituents of mine. I am interested in every legitimate flood-control project, and always have been, but it seems to me that the rights of the little farmers down below and the rights of the city of Liberty Bend, while it is not as big as Kansas City, are as much entitled to be considered as the rights of Kansas City, or St. Louis, or any other city in Missouri, or outside of Missouri,

in the United States. All that this amendment does is simply to leave the project for reexamination by the War Department, which they have already advised us they are making.

Mr. TRUMAN. Mr. President, will the Senator from Louisiana yield in order that I may make a remark at that point?

Mr. OVERTON. I yield.

Mr. TRUMAN. It is my honest opinion that the high water we have had this year—the first in 10 or 12 years—rather awoke the engineers to the fact that they had made all the construction at one place on this flood-control project and they hurriedly hunted a place where they run off a little surplus water, and picked Liberty Bend as a good place to do it.

Mr. CLARK of Missouri. Let me say to my colleague that I think somebody in the Corps of Engineers ought to be court-martialed for not carrying out the plain provisions of the act of Congress of 1937, instead of waiting and letting a situation develop which might have created a bad flood situation, but which fortunately did not, and then trying to shield himself by getting up a new proposition about the Liberty Bend cut-off.

Mr. TRUMAN. The whole flood-control project as it affects Kansas City, Mo., had not even been considered, and they were not considering it until I "jumped" on them about it.

Mr. OVERTON. If I may talk for a moment—

Mr. CLARK of Missouri. I thank the Senator for his kindness in permitting me to interrupt him.

Mr. OVERTON. I know very well the deep interest which the senior Senator from Missouri [Mr. CLARK] has taken in flood control. He is a member of the Commerce Committee of the Senate; and I also know the interest which the junior Senator from Missouri [Mr. TRUMAN] takes in flood control. It was at their suggestion that we eliminated the Liberty Bend cut-off, which I understand is objectionable to both Senators; and we did so in spite of the fact that the record showed that constructing the Liberty Bend cut-off just below Kansas City would so lower the flood stage that the flood walls, instead of being built 400 feet from the river, could be built within 100 feet of the river, resulting in a saving of 300 feet of a valuable portion of Kansas City.

However that may be, there was outstanding a review report to be submitted by the engineers, and the committee was perfectly willing to await that review report; but the amendment now offered by the junior Senator from Missouri does something which I am quite sure the senior Senator from Missouri objects to, and that is it authorizes the Chief of Engineers and the Secretary of War to make such modifications in that project as they deem desirable without any further action of the Congress. It is an out-and-out authorization; and the Senator from Missouri knows that the Committee on Commerce likes to have the facts before it before it undertakes to authorize a project, even though it is recommended by the Chief of Engineers.

Mr. CLARK of Missouri. Let me say to the Senator from Louisiana that I am very much opposed to this amendment. If anything is to be done about this Liberty Bend project, to my mind it ought to be done in conference by way of providing some means of compensation to the citizens below Kansas City whose rights are being invaded by the Liberty Bend cut-off.

Mr. OVERTON. The amendment to which I am calling the Senator's attention provides that—

The project adopted * * * to provide—

For the Liberty Bend cut-off—

is hereby modified to include cut-offs in the vicinity of Liberty Bend * * * and to include—

I call the Senator's attention to this—such other supplemental flood-control works at the Kansas Citys and in adjacent areas on the Missouri River * * * between approximate Missouri River mile 386 and Missouri River miles 356—

That is 30 miles—

1932 mileage, as the Secretary of War and the Chief of Engineers deem advisable.

It takes in the whole thing, and tells the Chief of Engineers and the Secretary of War, "Do what you please with the Missouri for 30 miles in Kansas, around Kansas City, and in the vicinity of Kansas City." I am quite sure that the senior Senator from Missouri would agree with me that that would not be very good legislation.

Mr. CLARK of Missouri. I do agree with the Senator very heartily. I think it is the most vicious kind of legislation for Congress, without provision for any further control whatever, to turn the matter over to some executive authority, and it does not make any difference to me whether it is the Corps of Engineers, the Interior Department, the War Department, or some other department. This is a matter for Congress itself to regulate.

Mr. OVERTON. Let me suggest to the junior Senator from Missouri, in view of the debate as it has proceeded so far, and in view of the fact that the Senate has eliminated, as the bill stands now, this project for Liberty Bend cut-off, that we let it rest there, and undertake to see what can be done later on. I ask the Senator to withdraw his amendment.

Mr. TRUMAN. I cannot withdraw it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Missouri [Mr. TRUMAN] to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 25, beginning in line 4.

The amendment was agreed to.

Mr. PEPPER. Mr. President, on behalf of myself and the senior Senator from Florida [Mr. ANDREWS], I offer an amendment on page 31, line 6, just before the word "Florida", to insert the words "the Kissimmee River and its tributaries, and Upper Saint Johns River and its tributaries."

By way of explanation, I will merely say that by inadvertence the amendment has not been previously offered. It provides merely for a survey. I have spoken to the Senator in charge of the bill, the able Senator from Louisiana [Mr. OVERTON], and I hope the amendment will not be objected to.

Mr. OVERTON. There is no objection whatever.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 4911) was read the third time, and passed.

Mr. OVERTON. I ask unanimous consent that the clerk be authorized to change the numbers of the sections to conform to the amendments agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OVERTON. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BAILEY, Mrs. CARAWAY, Mr. CLARK of Missouri, Mr. OVERTON, Mr. McNARY, and Mr. JOHNSON of California conferees on the part of the Senate.

PROGRAM FOR THE WEEK

Mr. BARKLEY. Mr. President, I have been asked what the program for the remainder of the week will be, and I should like to make a statement for the information of Senators.

Earlier in the day I stated that in all probability the bill reported today from the Committee on Military Affairs to extend the service of selectees would not be taken up until Thursday. The report has been made and will be available, and printed copies of the hearings are on the desks of Senators. It is my hope now that we may proceed to consider the bill on Wednesday instead of on Thursday. Many Senators have urged that we take the bill up on Wednesday instead of Thursday, and I think it will be entirely possible to do so.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. In connection with the suggestion of the distinguished leader, let me say that during the afternoon I have been advised that some Senators on this side of the aisle have made plans to leave the city Thursday night, if it is convenient to do so, and if we could begin the consideration of the extension bill Wednesday morning it would be an accommodation to them.

Mr. BARKLEY. I appreciate that, and it is for that reason I have suggested a modified program, that we begin consideration of the bill on Wednesday. We will meet tomorrow, and the Senator from South Carolina desires that we

make a bill in which he is interested the unfinished business.

WHEAT-MARKETING QUOTAS

Mr. SMITH. Mr. President, I ask unanimous consent that House bill 5300, the wheat-marketing quota bill, be made the unfinished business.

Mr. AUSTIN. I should like to ask the Senator from South Carolina whether this is the bill in which the Senator from Indiana [Mr. WILLIS] is interested.

Mr. SMITH. Yes; and I have the amendment he proposes. I wish to make the bill the unfinished business, and to proceed to its consideration tomorrow.

Mr. AUSTIN. I have no objection if it is the understanding that it will not be taken up this evening.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the Senate proceeded to consider the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. BARKLEY. I wish to say, for the information of Senators, that it is my hope that tomorrow, following the disposition of the bill just made the unfinished business, we may consider bills on the calendar.

PAYMENT OF GOVERNMENT EMPLOYEES FOR MILITARY LEAVE—HOUSE AMENDMENTS

Mr. REYNOLDS. From the Committee on Military Affairs, which has considered the matter, I report back the amendments of the House of Representatives to the bill (S. 505) making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States, with the recommendation that they be accepted. I ask for the present consideration of the amendments.

There being no objection, the Senate proceeded to consider the amendments of the House of Representatives to Senate bill 505, which were, on page 2, line 2, after "Congress)," to insert "who have heretofore or who may hereafter be"; on page 2, line 3, strike out all after "States" down to and including "President," in line 4; and to amend the title so as to read: "An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States."

Mr. REYNOLDS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

GRADE OF CHIEF WARRANT OFFICER IN THE ARMY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 162) to

strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes.

Mr. REYNOLDS. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. HILL, Mr. BRIDGES, Mr. GURNEY, and Mr. LODGE conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. CONNALLY, from the Committee on the Judiciary:

Matthew F. McGuire, of Massachusetts, to be associate justice of the District Court of the United States for the District of Columbia, vice Peyton Gordon, retired.

By Mr. GEORGE, from the Committee on Foreign Relations:

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway and the Netherlands, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary near the Government of Yugoslavia, also now established in London.

MAJ. GEN. DOUGLAS MACARTHUR

Mr. REYNOLDS. Mr. President, from the Military Affairs Committee I have the honor to report the nomination of Maj. Gen. Douglas MacArthur to be lieutenant general in the Army of the United States, and I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Maj. Gen. Douglas MacArthur, United States Army (General, U. S. Army, retired), for temporary appointment as lieutenant general in the Army of the United States, under the provisions of section 127a, National De-

fense Act, as amended by an act of Congress approved September 9, 1940.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina for the immediate consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed.

Mr. REYNOLDS. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

DISTRICT OF COLUMBIA

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the calendar will be stated.

The legislative clerk read the nomination of Guy Mason to be Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination of Mr. Guy Mason to be Commissioner for the District of Columbia.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the postmasters be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc, and the President will be immediately notified.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 29, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received July 28, 1941:

COLLECTOR OF CUSTOMS

James J. Connors, of Juneau, Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska. Reappointment.

COAST GUARD OF THE UNITED STATES

Ensign James A. Hyslop to be a lieutenant (junior grade) in the Coast Guard of the United States, to rank as such from June 2, 1941.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Douglas MacArthur, United States Army (general, U. S. Army, retired), for temporary appointment as lieutenant general in the Army of the United States, under

the provisions of section 127a, National Defense Act, as amended, by an act of Congress approved September 9, 1940.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. George Allan Miller, Infantry, with rank from August 18, 1940.

TO QUARTERMASTER CORPS

Maj. Joseph Albert Sullivan, Field Artillery (temporary lieutenant colonel, Army of the United States), with rank from November 18, 1939.

First Lt. Victor Edward Maston, Infantry (temporary captain, Army of the United States), with rank from June 13, 1936.

Second Lt. Robert Harold Rosen, Infantry, with rank from June 11, 1941.

TO FINANCE DEPARTMENT

Lt. Col. Frank M. Moore, Infantry, with rank from August 18, 1940.

TO ORDNANCE DEPARTMENT

First Lt. Jefferson Davis Childs, Infantry (temporary captain, Army of the United States), with rank from August 1, 1935.

TO INFANTRY

Second Lt. Roy George Hendrickson, Quartermaster Corps, with rank from June 11, 1941.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be lieutenant colonels with rank from August 4, 1941

Maj. Dale Clarence Hall, Ordnance Department (temporary lieutenant colonel, Army of the United States).

Maj. John Martin Clark, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States), subject to the examination required by law.

Maj. John James Downing, Signal Corps (temporary lieutenant colonel, Army of the United States), subject to the examination required by law.

Maj. Rowland Charles William Blessley, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

Maj. Arthur Thomas, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

To be lieutenant colonel with rank from August 6, 1941

Maj. Edward Albert Kimball, Infantry (temporary lieutenant colonel, Army of the United States).

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

MEDICAL CORPS

To be captains

First Lt. Doss Owen Lynn, Medical Corps (temporary captain, Army of the United States), with rank from August 15, 1941.

First Lt. Hallman Earl Sanders, Medical Corps (temporary captain, Army of the United States), with rank from August 18, 1941.

CHAPLAINS

To be captains

Chaplain (First Lt.) Emil William Geitner, United States Army (temporary captain, Army of the United States), with rank from August 14, 1941, subject to the examination required by law.

Chaplain (First Lt.) John Allen DeVeaux, United States Army (temporary captain, Army of the United States), with rank from August 24, 1941.

may 1



AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD
WALLS FOR FLOOD CONTROL

AUGUST 1, 1941.—Ordered to be printed

Mr. WHITTINGTON, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 4911]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendments numbered 1, 2, 3, and 4:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4; and agree to the same.

Amendments numbered 7 and 8:

That the House recede from its disagreement to the amendments of the Senate numbered 7 and 8; and agree to the same.

Amendments numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27:

That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; and agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28; and agree to the same.

Amendments numbered 30, 31, 32, 33, and 34:

That the House recede from its disagreement to the amendments of the Senate numbered 30, 31, 32, 33, and 34; and agree to the same.

Amendments numbered 36 and 37:

That the House recede from its disagreement to the amendments of the Senate numbered 36 and 37; and agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In said Senate amendment, strike out the words "House Doeument Numbered 328" and insert in lieu thereof the words *Senate Document Numbered 93*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In said Senate amendment, strike out the words "House Doeument Numbered 329" and insert in lieu thereof the words *Senate Document Numbered 94*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In said Senate amendment, line 11, after the word "without", insert the following: *preventing or*; after the word "diversion", line 11 of said Senate amendment, add the letter s, to make it read *diversions*; and after the word "Atehafalaya", line 12 of said Senate amendment, insert the following: *River and the Atchafalaya*; and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows:

In the said Senate amendment, strike out the following: "and Upper Saint Johns River and its tributaries"; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In the said Senate amendment, strike out the figures "\$600,000" and insert in lieu thereof the figures *\$500,000*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In the said Senate amendment in the last line, after the word "sums", insert the following: , *not to exceed \$5,000,000;* and the Senate agree to the same.

WILL M. WHITTINGTON,
ROBERT T. SECREST,
HARRY L. ENGLEBRIGHT,
Managers on the Part of the House.

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STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

AMENDMENTS

Amendment No. 1: This amendment of the Senate modifies section 2 of the bill to provide that formal notification to the local interests of the requirements of local cooperation shall be given in writing by the War Department 5 years before the provision for automatic expiration of authorization becomes operative.

Amendment No. 2: This amendment authorizes the project for local flood protection on Cayuga Creek at Lancaster, N. Y., at an estimated cost of \$575,000.

Amendment No. 3: This amendment modifies the existing project for the Susquehanna River Basin in southern New York and eastern Pennsylvania to include and authorize the Stillwater Reservoir on the Lackawanna River, Pa., at an estimated cost of \$2,420,000.

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Amendment No. 9: Amendment No. 9 by the Senate provides that the protection contemplated in the House bill, for the Red River backwater area, may, at the discretion of the Chief of Engineers after further investigation, be extended to a larger area, at a total cost not to exceed \$14,000,000, without jeopardizing the safety and integrity of the main Mississippi River levees and without jeopardizing the diversion contemplated in the adopted project through the Atchafalaya Basin. The modification of phraseology of the last two lines of this amendment, as agreed to by the conferees and set forth in the report herewith, is a clarification of the intent of the amendment as passed by the Senate.

Amendment No. 10: This amendment of the Senate provides for the inclusion of improvements for Bayous Rapides, Boeuf and Cocodrie, La., in the development of the authorized project for the alluvial valley of the Mississippi River at an estimated cost of \$2,600,000.

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Amendment No. 29: The Senate amendment adds to the bill authority for examinations and surveys on the Kissimmee and Upper St. Johns River and their tributaries in Florida. The modifications agreed to by the conferees eliminate the duplication in authorization which is contained in the bill passed by the Senate.

Amendment No. 33: The Senate Amendment No. 33 makes applicable to flood-control projects throughout the United States the provisions in existing law for the Mississippi River project which provide for the payment to States of 25 percent of the money received and deposited in the Treasury of the United States on account of the leasing of lands acquired by the United States for flood-control purposes.

Amendment No. 34: This amendment changes the designation of section 7 of the bill passed by the House to section 8 of the bill passed by the Senate.

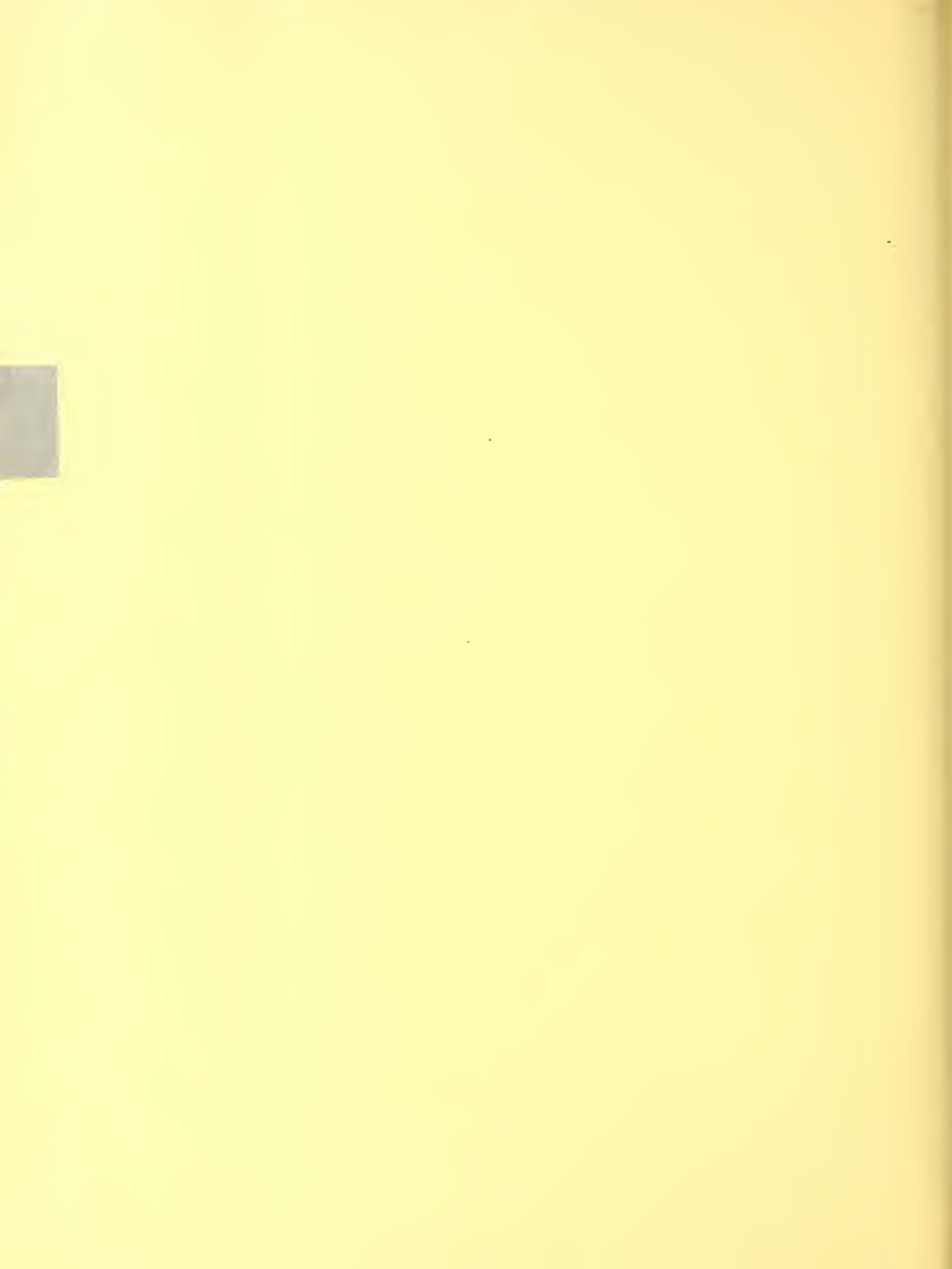
Amendment No. 35: This amendment by the Senate adds to the bill a new section 9, which increases to \$600,000 the authority for allotments in any one fiscal year for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof when, in the opinion of the Chief of Engineers, such work is advisable in the interest of flood control. The modification agreed to by the conferees reduces from \$600,000 to \$500,000 the authorization made available annually by the bill. The amendment as modified retains the limitation in existing law that not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year.

Amendment No. 36: This amendment changes the designation of section 8 of the House bill to section 10 of the Senate bill.

Amendment No. 37: This amendment raises to \$275,000,000 (increase of \$15,000,000) the authorization provided by the bill in order that sufficient authority may be available to cover the additional improvements included in the bill by the Senate amendments.

Amendment No. 38: The Senate amendment adds a recommendation of the President made in his letter of July 3, 1941. This amendment applies to the authority of the Department of Agriculture in carrying out works of improvement for flood control. The modifications in the amendment agreed to by the conferees limits to \$5,000,000 the authority provided by the amendment.

WILL M. WHITTINGTON,
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faithful American Federation of Labor members to the clutches of Harry Bridges in the notorious west coast longshoremen's case, which has since been reversed by the N. L. R. B. over Mr. Smith's vehement objections.

In his recent public speeches Mr. Smith has been even more direct and frank. He has protested discrimination against Communists in national-defense plants and he has upheld Communist strikes in key plants.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that I may be allowed to extend my remarks in the *RECORD* and to include therein excerpts from some letters I have received.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that following the last special order that has been entered today, the address of the gentleman from New York [Mr. MARTIN J. KENNEDY], I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the *RECORD* and to include therein an article from the Seattle Post Intelligencer upon the work done in magnesium at the State College of Washington.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the *RECORD* and to include therein a statement by Paul J. Raver, Bonneville Power Administrator.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

THE GASOLINE SITUATION IN THE UNITED STATES AND CANADA

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, last night I spent about 45 minutes syphoning gasoline out of my automobile tank for one of the visiting firemen who, because of high hotel prices and the high cost of living here, had to wend his way back home. I was interested in reading in this morning's paper that all Americans can buy gasoline at any time of the day or night, and even on Sundays, if they happen to be in Canada. At the same time I would like to make this observation. When the Rivers and Harbors Committee was in Canada a week ago last Monday, they discovered that the Parlia-

ment of Canada is not now in session. They are out fishing while we are here sweating blood. Of course, I can understand this, in a way, because they have no Franklin Roosevelt to keep their eyes on them.

[Here the gavel fell.]

ANNISTON ORDNANCE DEPOT

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, this time has been asked in order that I may avail myself of the proud privilege of calling attention of the House to a world's record that was established in Alabama in the construction of a defense project. At the Anniston Ordnance Depot last Tuesday eight complete igloos were built in 1 day. A world's record. A wonderful achievement of the contractors, John Hodgson and Will Dunn, and their organizations and employees. Too much credit cannot be given them. They are efficient. They are working enthusiastically in cordial cooperation with other patriotic Americans everywhere in an all-out effort to win the safety of the United States through adequate defense preparations.

I do not know the names of the architect-engineers of the War Department who may have earned our approbation in this regard. I am satisfied there are several. I would like so much to give them credit. But I do know the names of the Alabama architect-engineers, J. B. Converse & Co., Inc., of Mobile, and A. C. Polk, of Birmingham. Whether their names be known or unknown, it gives me pleasure to thank them for their excellent work. Especially should we thank the resident engineers, Converse and Polk, for their cooperation with the contractors.

Each igloo will hold 250,000 pounds of powder. They are of reinforced concrete. Never before had so many been completed in 1 day.

It seems to me an enheartening record, worthy of congratulation and gratitude from everyone who has at heart the success of our national effort for peace through adequate, timely defense preparation. [Applause.]

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative business and other matters on the Speaker's table, and other special orders, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that in connection with my remarks today I be permitted to include a cablegram which I received from Japan in connection therewith. I shall eliminate the name of the person, for safety of the American.

The SPEAKER. Is there objection?

There was no objection.

HOUSING AND OFFICE SITUATION IN WASHINGTON

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I know that we are all very much impressed with the message given to us by the gentleman from Alabama [Mr. HOBBS]. The powder situation in Alabama is apparently under control, but here in Washington the housing and office shortage is becoming increasingly worse. Our various Government departments are running wild all over the city, even to the point of taking hotels and apartment houses for office space. I make the suggestion to the Members of the House and also to the Members of the other body that we each give up one of our office rooms, and thereby make available more than 500 rooms which could be immediately occupied by some of the Government departments at no cost to the Government. It would save millions for the taxpayers and help relieve the terrible problem created by the shortage of office facilities. Unless we take some action at once to solve the problem, it will be almost impossible for the employees to function efficiently or for the departments to do their required job for national defense.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I think the suggestion of the gentleman from New York [Mr. MARTIN J. KENNEDY] is worth considering. However, the gentleman might have gone a little further. There is a very serious housing situation in Washington. Why not have all Members of Congress take up their abode in their offices, thereby releasing the rooms they are now occupying in the hotels and apartment houses?

RUSSIA AND THE UNITED STATES

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, it seems to me that this is a cockeyed world. We have sold arms and ammunition to Finland and permitted them to forego their debt to us for a few years. Now Mr. Harry Hopkins was over in Russia, and he says that we are going to give them, out of the \$7,000,000,000 that we have appropriated for the President to give away to those countries, as he sees fit, all of the arms and ammunition, guns, ships, TNT, dynamite, airplanes, and tanks in order that they may fight Finland. What are we coming to? Where is the American taxpayer going to get off on this? He is between the devil and the deep sea. You are putting him there. Where are we headed? I say for bankruptcy, communism, if not revolution in America. Why cannot we get down to

common sense. I want to keep the country out of war.

The SPEAKER. The time of the gentleman has expired.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

THE PRESIDENT'S FOREIGN POLICY

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, answering the gentleman from Pennsylvania [Mr. RICH], who is against war the same as I and nearly all other Members of the House, it is for that reason the President is trying not only to keep his word; and he is going to keep it, if it is possible, in every way. That is the reason he is doing all he can and we are doing all we can to aid Great Britain and Russia and China to dispose of Hitler and Hitlerism so that we can be protected and safeguarded from being attacked by Hitler and at the same time save our boys from going abroad. That is the underlying reason.

[Here the gavel fell.]

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

Mr. WHITTINGTON. Mr. Speaker, I call up the conference report on the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the conference report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendments numbered 1, 2, 3, and 4: That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

Amendments numbered 7 and 8: That the House recede from its disagreement to the amendments of the Senate numbered 7 and 8, and agree to the same.

Amendments numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27: That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same.

Amendments numbered 30, 31, 32, 33, and 34: That the House recede from its disagreement to the amendments of the Senate num-

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Amendments numbered 36 and 37: That the House recede from its disagreement to the amendments of the Senate numbered 36 and 37, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 328" and insert in lieu thereof the words "Senate Document Numbered 93"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 329" and insert in lieu thereof the words "Senate Document Numbered 94"; and the Senate agree to the same.

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Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the figures "\$500,000" and insert in lieu thereof the figures "\$500,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In the said Senate amendment in the last line, after the word "sums", insert the following: ", not to exceed \$5,000,000."; and the Senate agree to the same.

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STATEMENT

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Amendment No. 33: The Senate amendment No. 33 makes applicable to flood-control projects throughout the United States the provisions in existing law for the Mississippi River project which provide for the payment to States of 25 percent of the money received and deposited in the Treasury of the United States on account of the leasing of lands acquired by the United States for flood-control purposes.

Amendment No. 34: This amendment changes the designation of section 7 of the bill passed by the House to section 8 of the bill passed by the Senate.

Amendment No. 35: This amendment by the Senate adds to the bill a new section 9, which increases to \$600,000 the authority for allotments in any one fiscal year for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof when, in the opinion of the Chief of Engineers, such work is advisable in the interest of flood control. The modification agreed to by the con-

feres reduces from \$600,000 to \$500,000 the authorization made available annually by the bill. The amendment as modified retains the limitation in existing law that not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year.

Amendment No. 36: This amendment changes the designation of section 8 of the House bill to section 10 of the Senate bill.

Amendment No. 37: This amendment raises to \$275,000,000 (increase of \$15,000,000) the authorization provided by the bill in order that sufficient authority may be available to cover the additional improvements included in the bill by the Senate amendments.

Amendment No. 38: The Senate amendment adds a recommendation of the President made in his letter of July 3, 1941. This amendment applies to the authority of the Department of Agriculture in carrying out works of improvement for flood control. The modifications in the amendment agreed to by the conferees limits to \$5,000,000 the authority provided by the amendment.

WILLIAM M. WHITTINGTON,
ROBERT T. SECREST,
HARRY L. ENGLEBRIGHT,
Managers on the part of the House.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 5 minutes.

Mr. ENGLEBRIGHT. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. ENGLEBRIGHT. I am sure the gentleman in his statement will explain to the House the various changes made and the additional projects that have been set in the bill on the part of the Senate.

Mr. WHITTINGTON. The suggestion of the gentleman is in order. I think the House is entitled to the information suggested by the gentleman.

The bill under consideration, when it passed the House, unanimously, authorized the construction of projects recommended by the Chief of Engineers, aggregating \$254,890,000. After the bill was passed by the House it was considered by the Committee on Commerce of the Senate. There were added to the bill in the Senate projects aggregating \$12,879,000, all of which are approved by the Chief of Engineers. There has been eliminated from the bill as it passed the House one project, at the Kansas City, Kans.-Mo.

Mr. Speaker, after this bill passed the House on June 20, 1941, the President of the United States sent a message to Congress dated July 3, 1941, and submitted recommendations respecting four provisions of the bill and proposed three amendments to the bill with relation to restriction of new construction to defense projects, with respect to examinations and surveys, in addition to existing provisions of law upon the initiation of the War Department, and with respect to limiting the funds for the Agricultural Department to works not authorized in connection with soil conservation appropriations. The fourth proposal by the President was in connection with elimination of the flood protection works at Chattanooga, Tenn.

The President was kind enough in his message to say that, on the whole, the House Committee on Flood Control is to be complimented for its work in preparing the bill and in making forward-look-

ing provisions for multiple-use development, and for guarantees of local cooperation.

The President suggested in the message that the project for Chattanooga, Tenn., should be placed under the jurisdiction of the Tennessee Valley Authority. The Committee on Flood Control gave careful consideration to that matter. It is our view that the Tennessee Valley Authority is really without jurisdiction and that the project should be constructed by the Corps of Engineers. The President of the United States yielded after he submitted this recommendation to the Congress, when such Members of the other body, as the senior Senator from Nebraska, Senator NORRIS, and others called his attention to the fact that the project was primarily a flood-control project, consisting of levees and flood walls and was not a dam or a project that should be under the supervision of the Tennessee Valley Authority.

The President made a second recommendation. In that recommendation he advised the Congress that no money should be authorized during the national emergency unless the President shall find that the project is of importance and value in the national defense.

Mr. WILSON. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. In just a moment I will yield. I should like to make a connected statement, please.

The Committee on Flood Control had anticipated that matter and the bill as it passed the House contained a provision that had not been contained in previous bills, and I quote from section 3 of the bill—

and shall be prosecuted as speedily as may be consistent with budgetary requirements—

That is from section 3 of the bill as it passed the House. The said recommendation of the President transmitted to the Congress after we had passed the bill unanimously, was not approved by the Commerce Committee and is not embraced in the bill.

It is fair to say that it was not approved and is not the bill, for two reasons, among others. In the first place, the Congress of the United States felt that it could not abdicate absolutely to the Executive with respect to projects that are in aid of national defense; that it was for both the Executive and the Congress to pass upon that question, and the value of projects for national defense.

The SPEAKER. The gentleman has consumed 5 minutes.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 3 additional minutes.

Secondly, for the past few years there have been two bills submitted by the Committee on Appropriations for the War Department. One of those bills deals with civil functions including rivers and harbors and flood control. If the President of the United States is not satisfied with the appropriations he can veto the bill.

There is another reason why this suggested amendment is not contained in the bill. It is because the debates show that the Congress during the present session, because of national defense, has

followed the recommendations of the Budget with respect to appropriations, for flood control.

There was a second amendment with respect to preliminary examinations and surveys, and, with an amendment satisfactory to the reclamation States of the West, that amendment is embraced in the bill.

A third amendment was suggested by the President. It related to the authorization of \$5,000,000 for works of improvement by the Department of Agriculture. The President suggested that the authorization in the pending bill should not be used on works of improvement which the Department was otherwise authorized to undertake. The President's amendment further eliminated the ceiling of \$5,000,000 contained in the bill as it passed the House. The bill as agreed to in conference adopts the President's proposal that the money be expended on works which the Department of Agriculture is not otherwise authorized to undertake. Congress makes appropriations for soil-conservation works in large amounts. It was the President's view that the funds authorized in the flood-control bill should not be used for the same type of work. The President recommended that such additional sums be authorized for the works by the Department of Agriculture as may be necessary. The bill as it passed the House provided \$5,000,000 for the purpose. A definite ceiling was fixed. It has been the policy in flood-control legislation to fix the amounts authorized to be expended for all projects. The conferees followed the recommendations of the President substantially with respect to the duplication of soil-conservation work by the Department of Agriculture, but stipulated that the amount of the authorization should not exceed the \$5,000,000 as it passed in the House.

There was objection in the other body to that part of the second amendment proposed by the President to section 4 of the bill authorizing the Chief of Engineers to request the Department of the Interior to participate in the investigations. This part of the proposed recommendation respecting examination and surveys was objected to as shown by the debates in the other body by Senators who represented the arid States of the West on the ground that the rights of the State with respect to the allocation of waters might be violated. As a matter of fact, by Executive order the reports on examinations and surveys are reviewed by the Federal Power Commission, by the Federal Security Agency, and by the Department of the Interior. It is believed that the reviews can be made by Executive order without legislation, and hence the Senate amended the amendment to section 4 proposed by the President, and the conferees concurred in the amendment to section 4 as proposed by the Senate.

The President, therefore, withdrew one of his recommendations. This had to do with eliminating the Chattanooga project from the bill. He agreed that he was in error. He acknowledged that the Chief of Engineers should construct the project.

The other three recommendations of the President are covered by amendments agreed to in conference, by provisions of the bill, or by Executive order, or are provided for in the budget. As was stated by the Committee on Flood Control in its report, a backlog of public-works projects is essential following the national emergency. It is understood that during the national emergency there will be a reasonable reduction in flood-control improvements. The bill as it passed the House gave regard to budgetary requirements. It was understood that appropriations would be made upon the recommendations of the Budget during the national emergency and while national defense was uppermost. The bill as it passed the House and as it is agreed to in the conference follows the recommendation of the President to provide a backlog of public works following the national-defense program, the national emergency, and existing wars in Europe and in the Orient. There is a responsibility on Congress to limit ordinary appropriations. There is a responsibility on the Executive. The conference report safeguards the responsibilities of both the legislative and the executive branches of the Government. The President will submit his recommendations. Congress approved his recommendations for flood control during the current session. If Congress does not approve and if Congress exceeds the amounts that the Chief Executive believes should be appropriated during the emergency, under separate bills for the War Department the President can protect his executive rights by vetoing the bill. I repeat, therefore, that the President's recommendation with respect to the initiation of national-defense flood-control projects is substantially embraced in the pending bill.

The amendments to the bill in the Senate covered projects along the Susquehanna River, in Pennsylvania, along the Neuse River in North Carolina, projects in Louisiana, in Kentucky, in the Ohio Valley, and in Oregon approved by the Chief of Engineers. The bill when it left the House authorized appropriations aggregating \$260,000,000. As agreed to in conference, the amount is \$275,000,000. The conferees reduced the authorization passed by the Senate of \$600,000 annually for cleaning and clearing streams to \$500,000.

Section 7 proposed by the Senate and agreed to by the House is a constructive provision. It provides that in all reservoirs constructed by the Federal Government, lands may be leased where practicable, and that 25 percent of the rentals on the lands leased shall be expended for the benefit of the public schools and public roads of the county or counties in which the property is situated.

The amendments of the Senate covered projects on which reports were submitted by the Chief of Engineers following hearings before the House Committee on Flood Control and following the passage of the bill by the House on June 20, 1941. The conference report undertakes to embody the features of recom-

mendation of the President as to the work of soil conservation.

Mr. WILSON rose.

Mr. WHITTINGTON. I may say one thing further. The report, as I have indicated, reduces the authorization for cleaning and clearing from \$800,000, as proposed by the Senate, to \$500,000, as agreed to in conference.

This is a unanimous report and I believe should be promptly adopted by the House.

I now yield to the gentleman from Indiana.

Mr. WILSON. The gentleman stated in his remarks that on July 3 the President suggested that they eliminate all projects which were not pertinent to national defense. I appeared before the Senate Commerce Committee trying to get them to eliminate Shoals Dam in the east fork of the White River, which will cost a minimum of \$14,000,000 and which affects my district. I opposed it because it is not necessary for national defense.

Mr. WHITTINGTON. And that project will not be constructed, and is not included in the authorization, if that answers the gentleman's question because the gentleman will recall I also appeared before the Senate Committee on Commerce and called attention to the fact that projects not wanted or opposed would not be constructed because there are over \$200,000,000 of projects elsewhere in the Ohio Basin which are badly needed and wanted, that have been approved by the Chief of Engineers, and are eligible for construction. The project the gentleman speaks of will not be constructed. Only \$45,000,000 for the entire Ohio Basin is authorized. It is the intent of the bill that the project opposed by the gentleman is not included in the authorization.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kansas.

Mr. CARLSON. Do I understand from amendment No. 33 that the Federal law as it exists at the present time is broadened so that every State in the United States where flood-control projects are undertaken will receive 25 percent of the funds received for leased lands in reservoir sites?

Mr. WHITTINGTON. The gentleman is quite correct. In other words where there are reservoir projects, the law provides that the Chief of Engineers may lease the lands in the reservoir sites, where they can be farmed and that 25 percent of the rentals are to be used for the benefit of the public schools and roads in the counties in which the lands are located.

Mr. CARLSON. Would it go to the State or would it go to the county?

Mr. WHITTINGTON. The funds will ultimately go to the local jurisdiction, whether it be a county or a district.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. COCHRAN. Somebody has been sending word to Missouri that the committee of the House and Senate were considering 30 dam projects in the State of Missouri. There is nothing of that

character in this report is there? The gentleman has many times assured me there is nothing to this statement, but I would like to know if there has been any change?

Mr. WHITTINGTON. There has been no change whatever of the description mentioned in the bill as it passed the House.

Mr. COCHRAN. The only thing that can affect Missouri is that provision with reference to the North Fork Dam; and that is not in Missouri but in Arkansas.

Mr. WHITTINGTON. That is not involved, because no change was made in the bill in the Senate.

Mr. COCHRAN. In reference to projects authorized in this bill, the money will not be appropriated until a later date; in other words, the money we have appropriated for the present fiscal year has all been allocated. Is that right?

Mr. WHITTINGTON. The gentleman is correct.

Mr. COCHRAN. Then none of the authorizations here will be active during the present fiscal year unless additional money is provided.

Mr. WHITTINGTON. The gentleman is correct.

The bill is so worded that neither the Congress nor the Executive yields control over the purse strings.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. RANKIN of Mississippi. This conference report does not disturb any provision that was approved by both the House and Senate, as I understand it.

Mr. WHITTINGTON. No; except as modified.

Mr. RANKIN of Mississippi. Especially with reference to the Mobile River and the Tombigbee River.

Mr. WHITTINGTON. No change was made respecting those rivers in the Senate or conference report.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. BROOKS. The Senate adopted a slight modification of the Bayou Bodcau project in the bill. Is that in the conference report?

Mr. WHITTINGTON. That was agreed to in the conference report.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. DUNCAN. I wanted to ask the chairman with reference to amendment 16, page 24, dealing with the so-called Liberty cut-off on the Missouri River, the Kansas City project.

Mr. WHITTINGTON. No; amendment 17, on page 25, affects the Liberty cut-off.

Mr. DUNCAN. That provision I believe was taken out of the bill but was agreed to in conference. Is that correct?

Mr. WHITTINGTON. The gentleman is correct.

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. LEWIS. I did not quite understand the statement made by the gen-

tleman in regard to an amendment dealing with reclamation. Was that amendment approved in the Senate?

Mr. WHITTINGTON. One of the amendments proposed by the President of the United States would have given the Secretary of the Interior some control with respect to examinations and surveys with relation to reclamation projects. That was opposed, as I have stated. It was defeated in the Senate and it is not in the conference report. The amendment agreed to in conference is satisfactory to the reclamation States of the West, as I have previously stated.

Mr. LEWIS. It is not in the bill now.

Mr. WHITTINGTON. It is not, for the amendment proposed by the President was modified on the floor of the Senate and, as modified, is approved by the conference report.

Does the gentleman from California [Mr. ENGLEBRIGHT] desire time?

Mr. ENGLEBRIGHT. No; but I wish the gentleman would yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WHITTINGTON. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

The SPEAKER. The gentleman from Indiana is recognized for 5 minutes.

Mr. WILSON. Mr. Speaker, I know my constituents will appreciate the assurance given by the gentleman from Mississippi [Mr. WHITTINGTON], chairman of the Committee on Flood Control, that this project known as the Shoals Dam on the East Fork of the White River will not be built. I think I should explain why I have been so persistent in getting this assurance.

The building of this Shoals Dam would flood most of the good bottom land in four counties of my district. This bottom land supports much of our local government. The tax burden would necessarily be shifted to the ridge farmers, and they already are bearing all of the tax load they possibly can bear. Right now these farmers are very uncertain as to what the future holds for them. They hesitate to build barns, to build fences, to improve their land, not knowing what day the Government may come in and take it over. Some of you know the limestone industry has been more or less in the red for several years, which makes our Government and retail businessmen depend all the more on the farmers.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I am sure the gentleman will recall that during the debate and during the hearings before the Commerce Committee, at which the chief of engineers was present, it was definitely stated that the gentleman's project would not be constructed under the terms of this bill.

Mr. WILSON. I thank the gentleman. I did not read that in the hearings before the Commerce Committee of the Senate, but I am glad it is there. It so happens that this project is one of a number of projects contained in the authorization known as the Ohio River

Basin, therefore there is no place where you can put your finger on this particular project.

This bill authorizes \$45,000,000 for this basin. Therefore, if the money is appropriated for the entire basin we will have the word of the committees left to assure us that this project will not be built as long as my people do not want it. I hope in the near future to get a substitute project, of many small dams in the tributaries which is the only way I can see of permanently disposing of this nightmare lurking in the minds of my people.

Mr. WHITTINGTON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ENGLEBRIGHT].

Mr. ENGLEBRIGHT. Mr. Speaker, the additions that have been made by the Senate to the flood-control bill as it passed the House involve projects that have already been approved by the Chief of Engineers and are projects that would have been included in the bill by the House committee had the reports and data been available at that time. The other changes that have been made are technical and with the exception of the additions made by the Senate, the projects remain the same as in the House bill.

Mr. Speaker, I urge the adoption of the report and sincerely hope the House will act favorably on it.

Mr. WHITTINGTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Is there anything in this bill that has been amended by the Senate and in conference which authorizes the construction of the so-called South Channel project across Harsens Island in the St. Clair flats in the St. Clair River?

Mr. WHITTINGTON. There is no change made by the Senate to the bill in that respect.

Mr. Speaker, I yield such time as he may desire to the gentleman from Kansas [Mr. GUYER].

Mr. GUYER of Kansas. Mr. Speaker, I merely want to protest against the elimination of what is known as the Liberty Bend project at Kansas City, which leaves the city in great danger of flood.

The House wisely voted to keep the Liberty Bend project in as a part of a well-planned coordinate plan to control the floods that always have threatened greater Kansas City. Upon this plan the two cities of Kansas City, Mo., and Kansas City, Kans., happily united after the deliberate approval of the Army Engineers.

But in the other body this imperative and necessary step for adequate flood control for the two Kansas Cities and vicinity was eliminated. Against this short-sighted policy I wish to protest as strongly as I can, for, in my opinion, it sabotages to a material degree the other work already completed.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SELECTIVE TRAINING AND SERVICE ACT
AMENDMENTS

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, and I ask unanimous consent that the statement may be read in lieu of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. May]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 5 (b) (1) of the Selective Training and Service Act of 1940, as amended, is hereby amended by inserting before the colon the following: ', or any enlisted man who has been or is hereafter honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within six months prior to the completion of his regular three-year period of enlistment'.

"Sec. 2. Section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding '(1)' after '(e)', and by adding at the end thereof the following: 'Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

"(2) Anything in this Act to the contrary notwithstanding, there shall be deferred from training and service under this Act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth: *Provided*, That any of such men may after volunteering for induction be inducted pursuant and subject to the provisions of section 3 (a) of this Act: *Provided further*, That the Secretary of War shall, as soon as practicable and when not in conflict with the interests of national defense, release from active training and service under section 3 (b) of this Act, and transfer to a reserve component of the land forces for the same period and with the same rights, duties, and liabilities, as any other person transferred to a reserve component of the land forces under the provisions of section 3 (c) of this Act, regardless of his period of training and service, any person who has heretofore been inducted into the land forces under this Act, who requests such release, and who had attained the twenty-eighth anniversary of the day of his birth on or prior to July 1, 1941, and prior to such induction:

Provided further, That any person so released under this paragraph who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of this Act."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows: In lieu of the amended title proposed by the House, amend the title so as to read: "An Act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes."

And the House agree to the same.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
FOREST A. HARNES,
L. C. ARENDS,

Managers on the part of the House.

R. R. REYNOLDS,
ELBERT D. THOMAS,
LISTER HILL,
H. H. SCHWARTZ,
WARREN R. AUSTIN,
CHAN GURNEY,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Senate bill

Section 1 of the Senate bill authorized the President, under such rules and regulations as he might prescribe, to provide for the deferment from training and service under the Selective Training and Service Act of 1940 of men who were liable therefor, had not been inducted into the land or naval forces, and who had attained the age of 28, on the first day of July 1941, or on the first day of July of any subsequent year.

Section 2 of the Senate bill extended the authority of the President under section 9 of such act to take over and operate certain plants in order to expedite the defense program. The extended authority was to apply (1) to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith, and (2) to any plant which, in the opinion of the Secretary of War or the Secretary of the Navy, is capable of being readily transformed into a plant equipped for the manufacture of any such articles or materials. The exercise of this extended authority was limited, however, to time of war in which the United States was engaged, or during the unlimited national emergency proclaimed by the President on May 27, 1941. In addition, in each case, the President was required to make a finding, after investigation, that the national defense program would be impeded or delayed by an existing or threatened failure of production at the plant as a result of a strike, threatened strike, lockout, or other cause, that the exercise of the added authority was necessary in the public interest, and that where the existing or threatened failure of production was due primarily to a labor dispute there had been a failure to use existing Government conciliation and mediation facilities, or that the dispute had not been settled despite the use of such facilities.

It was also provided that any plant with respect to which the extended authority of the President had been exercised would be returned to its owners whenever the President determined that the plant would be privately operated in a manner consistent with the needs of the national defense.

Section 3 of the Senate bill contained a declaration that complete cooperation between Government, management and labor is necessary, that strikes or lockouts in industries that impede or delay the national defense effort are contrary to sound public policy, and that strikes or lockouts in such industries in which either side refused to recognize arbitration and mediation and abide by the decisions thereof are condemned.

Section 4 of the Senate bill contained a further declaration that such complete cooperation can best be achieved by the wholehearted acceptance of the principles of collective bargaining, and the recognition of the rights of employees to designate representatives of their own choosing for collective bargaining purposes without interference through unfair or oppressive labor practices.

House amendment

The House amendment contained no provisions corresponding to sections 2, 3, and 4 of the Senate bill.

The deferment provision of the House amendment applied to the same persons as section 1 of the Senate bill, but deferment was made mandatory until Congress declared otherwise instead of being left to the President's discretion.

The House amendment also provided for publicity with respect to the classification of registrants under the Selective Training and Service Act of 1940. A list of all the men classified by each local board was required to be posted in a conspicuous place at the board's office, together with a brief statement of the reasons for each classification. Further publicity was also required with the President determining the manner of publication of such lists.

The House amendment also provided for a peacetime exemption from liability to serve under such act in the case of men discharged from the Regular Army for the convenience of the Government within 90 days before the completion of a 3-year enlistment period.

Conference report

The first section of the conference report extends the peacetime exemption from liability to serve under the Selective Training and Service Act of 1940 to men honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within 6 months of the completion of their 3-year enlistment period.

Section 2 of the conference report provides that rules and regulations providing for deferments include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

Section 2 of the conference report also provides that there shall be deferred from training and service until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted, and (3) have attained the twenty-eighth anniversary of the date of their birth. Such men are permitted to volunteer, however, and be inducted as volunteers subject to existing provisions of law relating thereto.

Section 2 of the conference report also provides for the release by the Secretary of War, as soon as practicable and when not in conflict with the interests of the national defense, of the men who have heretofore been inducted into the land forces under the Selective Training and Service Act of 1940, who had attained the 28th anniversary of the day of their birth on or prior to July 1, 1941,

The Senator from Vermont [Mr. AIKEN], who would vote "yea," with the Senator from Illinois [Mr. LUCAS], who would vote "nay";

The Senator from Massachusetts [Mr. LODGE], who would vote "yea," with the Senator from Virginia [Mr. GLASS], who would vote "nay"; and

The Senator from Kansas [Mr. REED], who would vote "yea," with the Senator from Minnesota [Mr. BALL], who would vote "nay."

The Senator from Nebraska [Mr. BUTLER] has a general pair with the Senator from Iowa [Mr. HERRING].

Mr. VANDENBERG. I announce that the senior Senator from Oregon [Mr. McNARY], who is unavoidably absent, would vote "yea" if he were present.

The result was announced—yeas 27, nays 50, as follows:

YEAS—27

Bone	Davis	Thomas, Idaho
Brewster	Downey	Tobey
Brooks	Gillette	Tunnell
Brown	La Follette	Vandenberg
Capper	Maloney	Walsh
Chavez	McCarran	Wheeler
Clark, Idaho	Reynolds	White
Clark, Mo.	Shipead	Wiley
Danaher	Taft	Willis

NAYS—50

Adams	Green	O'Mahoney
Andrews	Guffey	Overton
Austin	Gurney	Pepper
Bailey	Hatch	Radcliffe
Bankhead	Hayden	Rosier
Barbour	Hill	Russell
Barkley	Hughes	Schwartz
Bridges	Johnson, Calif.	Smathers
Bunker	Johnson, Colo.	Smith
Burton	Kilgore	Stewart
Byrd	Langer	Thomas, Okla.
Chandler	Lee	Thomas, Utah
Connally	McFarland	Truman
Eastland	McKellar	Tydings
Ellender	Mead	Van Nuys
George	Nye	Wallgren
Gerry	O'Daniel	

NOT VOTING—18

Aiken	Glass	Murdock
Ball	Herring	Murray
Bilbo	Holman	Norris
Bulow	Lodge	Reed
Butler	Lucas	Spencer
Caraway	McNary	Wagner

So Mr. TAFT's amendment to the committee amendment was rejected.

Mr. TYDINGS. Mr. President, the following letter, which I shall read, was sent to me in reply to a telegram I sent to General Marshall concerning how the law would be administered as to men who were over 28 years of age:

DEAR SENATOR TYDINGS: Provided the pending legislation for the release of selective-service trainees who are 28 years of age or older becomes law, the War Department intends to give enlisted men of the National Guard who are at least 28 years old the same consideration. There is obviously some difference between the selectee who entered the Army as an individual and the National Guard man who was inducted as a member of a unit. There is the matter, for instance, of providing a suitable replacement for the key National Guard noncommissioned officer before he can be released. This may take longer than is necessary to transfer to the Reserve a selectee in the grade of private. However, as nearly as the situation within the National Guard permits, there will be, in releasing men who are 28 years of age or older, no distinction between selective-service trainees and members of the National Guard.

I hope that this explanation will be satisfactory to you. If not, will you please let

me know wherein the proposed War Department policy in regard to these matters is not clear or not satisfactory.

Faithfully yours,

WILLIAM BRYDEN,
Deputy Chief of Staff.

I should like to add that I had previously sent General Marshall a telegram asking about those over 28 years of age who were draftees, and who had gone into the service, not as National Guard men but as draftees under the Selective Service Act. His reply in both cases was in line with the letter I have just read, and, I think, shows that General Marshall wants to eliminate all the men over 28 years of age just as rapidly as the national-defense exigencies will permit him to do so.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. THOMAS of Utah. Mr. President, at this time, in order that it may become the pending motion, I offer a committee amendment to page 3, line 9, and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Utah to the amendment reported by the committee, in the nature of a substitute, will be stated.

The LEGISLATIVE CLERK. In lieu of the proviso, in lines 9 to 11, inclusive, on page 3, it is proposed to insert a colon and the following:

Provided, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority conferred by this section shall not be exercised after a date specified in a concurrent resolution hereafter passed by the Congress.

Mr. VANDENBERG obtained the floor.
Mr. BURTON. Mr. President, will the Senator yield to me?

Mr. VANDENBERG. I yield to the Senator from Ohio.

Mr. BURTON. I desire to take this opportunity to offer an amendment to the amendment which has just been read by striking out, in line 6, the word "eighteen", and substituting for it the word "twelve."

The ACTING PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Ohio

to the amendment offered by the Senator from Utah to the committee amendment in the nature of a substitute.

The LEGISLATIVE CLERK. In line 6 of the amendment offered by Mr. THOMAS of Utah it is proposed to strike out the word "eighteen" and insert the word "twelve", so as to read:

Shall not, without his consent, exceed 12 months—

And so forth.

Mr. MALONEY. Mr. President, will the Senator from Michigan yield to me for a moment?

Mr. VANDENBERG. I yield to the Senator from Connecticut.

Mr. MALONEY. I have on the desk an amendment which is, in effect, an amendment to the amendment offered by the Senator from Utah which would change the word "eighteen" to "eight." I am wondering if that amendment is displaced by the amendment just offered by the junior Senator from Ohio [Mr. BURTON].

The ACTING PRESIDENT pro tempore. The Senator from Connecticut has not yet offered his amendment. Therefore, the amendment of the Senator from Ohio is the pending question.

Mr. MALONEY. I understand that; but is it still in order for me to offer my amendment?

The ACTING PRESIDENT pro tempore. It will be when the amendment of the Senator from Ohio [Mr. BURTON] shall have been disposed of.

Mr. MALONEY. I thank the Senator from Michigan.

RIVER AND HARBOR IMPROVEMENTS
FOR FLOOD CONTROL—CONFERENCE
REPORT

Mr. OVERTON. Mr. President, will the Senator from Michigan yield to me in order that I may present a conference report which I think can be disposed of in a few minutes?

The ACTING PRESIDENT pro tempore. Does the Senator from Michigan yield for that purpose?

Mr. VANDENBERG. I yield.

Mr. OVERTON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendments numbered 1, 2, 3, and 4: That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

Amendments numbered 7 and 8: That the House recede from its disagreement to the amendments of the Senate numbered 7 and 8, and agree to the same.

Amendments numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27: That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amend-

ment of the Senate numbered 28, and agree to the same.

Amendments numbered 30, 31, 32, 33, and 34: That the House recede from its disagreement to the amendments of the Senate numbered 30, 31, 32, 33, and 34, and agree to the same.

Amendments numbered 36 and 37: That the House recede from its disagreement to the amendments of the Senate numbered 36 and 37, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 328" and insert in lieu thereof the words "Senate Document Numbered 93"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 329" and insert in lieu thereof the words "Senate Document Numbered 94"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In said Senate amendment, line 11, after the word "without" insert the following, "preventing or"; after the word "diversion", line 11, of said Senate amendment add the letter "s", make it read "diversions"; and after the word "Atchafalaya", line 12, of said Senate amendment insert the following "River and the Atchafalaya"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the following "and Upper Saint Johns River and its tributaries,;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the figures "\$600,000" and insert in lieu thereof the figures "\$500,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In the said Senate amendment in the last line, after the word "sums", insert the following: ", not to exceed \$5,000,000,;" and the Senate agree to the same.

JOHN H. OVERTON,
HATTIE W. CARAWAY,
BENNETT CHAMP CLARK,
HIRAM W. JOHNSON,
J. W. BAILEY,

Managers on the part of the Senate.

WILLIAM WHITTINGTON,
ROBERT T. SECREST,
HARRY L. ENGLEBRIGHT,

Managers on the part of the House.

Mr. OVERTON. I ask for the immediate consideration of the conference report.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. The question is on agreeing to the conference report.

Mr. OVERTON. Mr. President, in this connection I desire to say that the bill as agreed upon in conference is practically the same bill that passed the Sen-

ate. All the Senate amendments were concurred in by the House conferees, and in a few instances certain modifications were made which were not material. For the most part, they were in the nature of perfecting amendments. Therefore, the bill is practically in the form in which it was passed by the Senate.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. VANDENBERG. Mr. President, I desire to make a brief statement regarding the situation which now confronts the Senate, following the defeat of the Taft substitute. I shall appreciate it if, for the sake of cogeny, I may be permitted to proceed to my very brief conclusion without interruption.

Mr. President, I cannot deny that "the national interest is imperiled," as asserted in the preamble to the pending joint resolution; but I am definitely of the opinion that it is often "imperiled" more from within than from without. Therefore, I wish to state for the RECORD why I shall vote against the pending joint resolution, now that the thoroughly reasonable so-called Taft substitute has been rejected.

That substitute went even further than I think it is necessary or wise to go. But we cannot always please ourselves, each one of us, in respect to legislative details. I supported it as the nearest available expression of my general viewpoint. It would have clearly saved General Marshall's Army from any threat of the general disintegration which he eloquently fears; yet it also would have saved what is provably a needless expansion of executive, military authority at the present time.

I cannot escape the conclusion that the wise course, the democratic course, now is to defeat the joint resolution. The inevitable result of that defeat would be, within a week, a new and better and more realistic bill from the Senate Military Affairs Committee and from the War Department and from the Commander in Chief.

Mr. President, I agree that the pending measure is a critical one. Anything related to the national defense is critical when the world is in flames and when ruthless, ugly conquest is on the march. It is critical if we fail to mobilize a maximum defense against any external threat to the Americas. It is just as critical if we fail internally to organize this defense effectively; or, if we needlessly go too far toward participation in a shooting war, which the American heart and soul demand that we shall avoid; or—and this is important—if we demoralize our internal life and economy so abruptly that it weakens our own sinews and our own morale. Peril, I repeat, may be internal as well as external.

I agree that the pending measure is critical. It certainly is critical when our

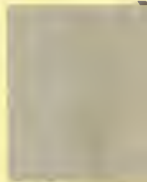
Commander in Chief, through his Chief of Staff, flung to us the blunt though illy sustained warning that we would face a national tragedy—those were his words—if draftees, guardsmen, and Reservists were not held indefinitely in the armed service beyond their 1-year contracts, and released to service anywhere on this earth. Happily, that alarming thesis is now substantially toned down. But whether we like it or not, we cannot ignore such a challenge from such a source, and I do not propose to do so.

On the other hand, the pending measure is critical because the extent of this ominous peril, which the joint resolution proclaims, will be largely measured by whatever developments are forced upon us from abroad, or by whatever developments are contemplated by the President and his advisers in respect to our foreign policy—whether it is to be a policy which still clings to the preelection commitments of both major political parties to keep us out of a shooting war—whether it is to be a policy which still reasserts the lend-lease pledge that lend-lease is a formula which seeks the constructive preservation of our peace—or whether it is to be a policy reflecting the impatient belligerence of unrepudiated Cabinet spokesmen whose trigger fingers itch for action.

Meanwhile, Mr. President, the pending measure is critical because it can fatefully control the social, the economic, and the physical lives of millions of American young men to whom we owe an obligation which is second only to our obligation, and theirs, to the impregnable defense of our common country. Whether we like it or not, this democracy dare not ignore their rights. They are not allowed to speak for themselves. They are told it would transgress Army discipline. Their commanding officers are free to say that 80 percent of them are ready to accept this new sacrifice—and the Senate committee's hearings are full of this vicarious approval. But their own mouths are closed to say otherwise—although my files disclose that large groups of them have taken the risk of hotly saying otherwise—and the anomaly is that if anything like 80 percent of them are willing, no repugnant compulsion is necessary to retain them. I agree that we cannot run an army by internal referendum. But since we cannot, the greater is our responsibility to be as vigilant as possible in behalf of those in uniform who must defend democracy with their lives, yet who, of necessity, may enjoy so little of it, at the moment, themselves.

It is our responsibility to see to it that they are not held one needless hour beyond the national necessity—and I think I can prove that the pending joint resolution violates this equity. I agree that we are not "breaking a contract" in the strict, legalistic sense of the word. The 1-year limitation did have an escape clause, and that precise clause is scrupulously invoked by the pending joint resolution. Yet there can be no doubt, Mr. President, that 99 percent of these men thought their induction was for 1 year of training. This may be just one more of those many crimes committed in the agate type at the bottom of a contract.

Aug. 18



[PUBLIC LAW 228—77TH CONGRESS]

[CHAPTER 377—1ST SESSION]

[H. R. 4911]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and waterflow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by Act of Congress.

SEC. 2. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this Act, except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the third proviso of section 1 of the Flood Control Act approved August 28, 1937 (Public, Numbered 406, 75th Congress) and all of section 8 of the Flood Control Act approved August 11, 1939, (Public, Numbered 396, 76th Congress) are hereby repealed: *Provided further*, That the authorization for any flood-control project heretofore or herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished: *And provided further*, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations. The Chief of Engineers is also authorized in his discretion to modify the plan for any dam or other work heretofore or hereafter authorized so that such dam or work will be smaller than originally planned with a view to completing a

useful improvement within an authorization: *Provided*, That the smaller structure shall be located on the chosen site so that it will be feasible at some future time to enlarge the work in order to permit the full utilization of the site for all purposes of conservation such as flood control, navigation, reclamation, the development of hydro-electric power, and the abatement of pollution.

SEC. 3. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized in the interest of national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That penstocks or other similar facilities adapted to possible future use in the development of hydro-electric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission:

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$6,000,000 for local protection works and \$10,000,000 for reservoirs for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Connecticut River Basin, and such comprehensive plan is hereby modified to include the works recommended by the Chief of Engineers in House Document Numbered 653, Seventy-sixth Congress, third session, and House Document Numbered 724, Seventy-sixth Congress, third session, with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

The Secretary of War is authorized to reimburse the city of Hartford, Connecticut, the sum of \$252,000 heretofore contributed to the United States by said city for the realignment of the South Meadows section of the flood-protection works in accordance with the plans contained in House Document Numbered 653, Seventy-sixth Congress, third session: *Provided*, That there shall be deducted from the aforementioned sum any reimbursement which may be made to said city pursuant to the provisions of section 1 of the War Department Civil Appropriation Act, 1938, approved July 19, 1937.

THAMES RIVER BASIN

The plan for a system of reservoirs and channel improvements in the Thames River Basin, Connecticut, Rhode Island, and Massachusetts, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 885, Seventy-sixth Congress, third session, is approved, and there is hereby authorized \$6,000,000 for initiation and partial accomplishment of the project.

PAWTUXET RIVER BASIN

The project for local flood protection on the North Branch of Pawtuxet River at Clyde, Rhode Island, and for the Pontiac diver-

sion is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 747, Seventy-sixth Congress, third session, at an estimated cost of \$1,320,000.

HUDSON RIVER BASIN

The projects adopted by the Act of June 22, 1936, to provide for local flood-protection works in the Hoosic River Basin at North Adams in Massachusetts; at Hoosick Falls, New York, and at Bennington, Vermont, are hereby modified and extended to include the town of Adams, Massachusetts, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 182, Seventy-sixth Congress, first session, and are authorized to be constructed substantially in accordance with said recommendation at an estimated cost of \$2,170,000.

LAKE CHAMPLAIN BASIN

The project for local flood protection on the Winooski River at Waterbury, Vermont, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 656, Seventy-sixth Congress, third session, at an estimated cost of \$880,000.

The project adopted by the Act of June 22, 1936, to provide for local flood-protection works on Otter Creek at Rutland, Vermont, is hereby modified in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 171, Seventy-sixth Congress, third session, and is authorized to be constructed substantially in accordance with said recommendation at an estimated cost of \$308,000.

OSWEGO RIVER BASIN

The projects for flood control and other purposes at Canandaigua, Keuka, and Owasco Lakes, and at Hammondsport, Watkins Glen, Montour Falls, Ithaca, and Syracuse, New York, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 846, Seventy-sixth Congress, third session, at an estimated cost of \$3,220,000.

BUFFALO RIVER BASIN

The project for local flood protection on Cayuga Creek at Lancaster, New York, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 326, Seventy-seventh Congress, first session, at an estimated cost of \$575,000.

SUSQUEHANNA RIVER BASIN

The project adopted by the Act of June 22, 1936, to provide for local flood-protection works on the Susquehanna River at Sunbury, Pennsylvania, is hereby modified in accordance with the recommendation of the Chief of Engineers in House Document Numbered 366, Seventy-sixth Congress, first session, and is authorized

to be constructed substantially in accordance with said recommendation at an estimated cost of \$1,900,000.

The project for flood control in the Susquehanna River Basin in southern New York and eastern Pennsylvania adopted by the Act of June 22, 1936, is hereby modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River, Pennsylvania, for flood control and other purposes in accordance with plans now in the Office of the Chief of Engineers at an estimated cost to the United States of \$2,420,000.

DELAWARE RIVER BASIN

The project for local flood protection on Rancocas Creek in the vicinity of Mount Holly, New Jersey, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 128, Seventy-seventh Congress, first session, at an estimated cost of \$300,000.

NEUSE RIVER BASIN

The project for local flood protection on the Neuse River in the vicinity of Goldsboro, North Carolina, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 327, Seventy-seventh Congress, first session, at an estimated cost of \$40,000.

MOBILE RIVER BASIN

The project for local flood protection at Prattville, Alabama, on Autauga Creek, a tributary of the Alabama-Coosa River, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 657, Seventy-sixth Congress, third session, at an estimated cost of \$530,000.

The plan for the Allatoona Reservoir on the Etowah River in the Coosa River Basin, Georgia, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document Numbered 674, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$3,000,000 for initiation and partial accomplishment of the project.

The project for flood control on the Tombigbee River authorized by the Act of June 22, 1936, is hereby modified to provide for additional channel improvements and related works for flood control for the Tombigbee River and tributaries above the mouth of and including the Noxubee River in accordance with plans approved by the Chief of Engineers at an estimated cost of \$150,000.

BAYOU TECHE AND VERMILION RIVER

The project for the improvement of Bayou Teche and the Vermilion River, Louisiana, is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 93, Seventy-seventh Congress, first session, at an estimated cost of \$1,390,000.

MERMENTAU RIVER BASIN

The project for the improvement of the Mermentau River in Louisiana for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 94, Seventy-seventh Congress, first session, at an estimated cost of \$970,000.

COLORADO RIVER BASIN (TEXAS)

The plan for improvement of the Lower Colorado River, Texas, for flood control in accordance with the recommendation of the Chief of Engineers in House Document Numbered 312, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$6,500,000 for the construction of the project.

The plan for San Angelo Reservoir for flood control and other purposes on the North Concho River, Texas, and for local flood-protection works at San Angelo, Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 315, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$2,000,000 for initiation and partial accomplishment of the project.

The plan for Hords Creek Reservoir and for enlargement of the existing Lake Brownwood Reservoir for flood control and other purposes on Pecan Bayou and its tributaries in Texas, in accordance with the recommendation of the Chief of Engineers in House Document Numbered 370, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$1,400,000 for initiation and partial accomplishment of the project, including \$460,000 for the Hords Creek Reservoir.

The project for local flood protection on Brady Creek at Brady, Texas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 441, Seventy-sixth Congress, first session, at an estimated cost of \$825,000.

BRAZOS RIVER BASIN

The plan for Whitney Reservoir on the Brazos River in Texas, for flood control and other purposes in accordance with the recommendation of the Chief of Engineers in House Document Numbered 390, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$5,000,000 for the initiation and partial accomplishment of the project.

LOWER MISSISSIPPI RIVER

The project for flood control of the Lower Mississippi River adopted by the Act of May 15, 1928, as amended by the Act of June 15, 1936, as amended by the Acts of August 28, 1937, and June 28, 1938, is hereby modified and, as modified, is hereby authorized and adopted, and the Flood Control Act of June 15, 1936, as amended, is amended as follows:

(a) The existing engineering plan for flood control in the alluvial valley of the Mississippi River is hereby modified so as to provide

for the construction of plan 4 as set forth in the report of the Mississippi River Commission, dated March 7, 1941, to the Chief of Engineers, except that the levees in the Yazoo Basin on the east bank of the Mississippi River south of the Coahoma-Bolivar County line in said plan shall have a three-foot freeboard over the project flood, and all levees shall be constructed with adequate section and foundation to conform to increased levee heights. The Boeuf Floodway in the project adopted by the Act of May 15, 1928, and the Eudora Floodway as well as the Northward Extension and the back protection levee extending from the head of the said Eudora Floodway north to the Arkansas River in the project adopted by the Act of June 15, 1936, as amended, are hereby abandoned, and the provisions of said Acts relating to the prosecution of work on said floodways and extension are hereby repealed.

(b) The project for flood control of the Yazoo River shall be as authorized by the Flood Control Act approved June 15, 1936, as amended by section 2 of the Act approved June 28, 1938, except that the Chief of Engineers may, in his discretion, from time to time, substitute therefor combinations of reservoirs, levees, and channel improvements; and except that the extension of the authorized project and improvements contemplated in plan C of the report of March 7, 1941, of the Mississippi River Commission are authorized, including the extension of the levee on the east bank of the Mississippi River generally along the west bank of the Yazoo River to a connection in the vicinity of Yazoo City with the Yazoo River levee, authorized by the existing project for protection against headwater floods of the Yazoo River system, and the adjustment in the discretion of the Chief of Engineers of the grades of the existing levees in the backwater area on the east bank of Yazoo River below Yazoo City, all at an estimated additional cost of \$11,982,000: *Provided*, That the Chief of Engineers shall fix the grade of the extension levees along the Yazoo River, with higher levees in his discretion, so that their construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local authorities shall furnish satisfactory assurances that they will (1) maintain the levees in accordance with the provisions of section 3 of the Act of May 15, 1928, and will (2) not raise the levees in the backwater above the limiting elevations established therefor by the Chief of Engineers.

(c) In the development of the authorized project, the construction of a levee and improvements contemplated in the report of March 7, 1941, of the Mississippi River Commission from the main-line levee on the west bank of the Mississippi River in the vicinity of Shaw, Louisiana, westward and northward to the vicinity of Newlight, Louisiana, for the protection of that part of the Red River backwater known as the Tensas-Cocodrie area at an estimated cost of \$6,976,000 is hereby authorized: *Provided*, That the Chief of Engineers shall fix the grade of said levee, with a higher levee in his discretion, so that its construction will give the maximum practical protection without jeopardizing the safety and integrity of the main Mississippi River levees: *And provided further*, That prior to the beginning of construction local authorities shall furnish satisfactory assurances that they will (1) maintain the levee in

accordance with the provisions of section 3 of the Act of May 15, 1928, and will (2) not raise the said levee above the limiting elevations established therefor by the Chief of Engineers: *Provided further*, That subject to the foregoing conditions of local cooperation the Chief of Engineers may in his discretion substitute other levees and appurtenant works for, or make such modifications of, the levees and improvements herein authorized for the protection of the Tensas-Cocodrie area as may be found after further investigation to afford protection to a larger area in the Red River Backwater at a total cost not to exceed \$14,000,000 and without jeopardizing the safety and integrity of the main Mississippi River levees and without preventing or jeopardizing the diversions contemplated in the adopted project through the Atchafalaya River and Atchafalaya Basin.

(d) The Chief of Engineers, with approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to be reasonable, for providing at the request of the United States, in accordance with local legal procedure or custom, rights-of-way and flowage easements required for future setbacks of main-line Mississippi River levees.

(e) The existing engineering plan for flood control of the Saint Francis River is hereby modified so as to permit the substitution for the suspended portions of the original project below Oak Donnick, Arkansas, of the construction of a ditch in Cross County, Arkansas, beginning in the vicinity of the outlet end of the existing Oak Donnick to Saint Francis Bay floodway and terminating in Saint Francis Bay about two miles north of Riverfront, including the construction of a highway bridge at State Highway Numbered 42 made necessary by the ditch construction: *Provided*, That local interests give assurances satisfactory to the Secretary of War that they will (1) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction; (2) hold and save the United States free from damages due to the construction works; and (3) maintain the works after completion in accordance with regulations prescribed by the Secretary of War.

(f) In the development of the authorized project, the construction of improvements for Bayou Rapides, Boeuf, and Cocodrie, Louisiana, contemplated in the report dated March 24, 1941, of the Special Board of Officers at an estimated cost of \$2,600,000 is hereby authorized.

(g) The total authorizations heretofore made for the flood control project of the alluvial valley of the Mississippi River shall not be increased by reason of any provision in this Act, except for the additional amounts necessary for the Yazoo and Red River backwater improvements, and any appropriations heretofore or hereafter made or authorized for said project as herein or heretofore modified may be expended upon any feature of the said project, notwithstanding any restrictions, limitations, or requirements of existing law: *Provided*, That funds hereafter expended for maintenance shall not be considered as reducing present remaining balances of authorizations.

(h) Any officer of the Corps of Engineers who has served or shall serve four years as President of the Mississippi River Commission

and who has been or shall subsequently be retired, shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general.

The project for flood control on the Homochitto River in Mississippi, authorized by the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), and modified by the Act of June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), is hereby further modified to provide for additional channel improvements and related works for flood control on the Homochitto River and tributaries in accordance with plans approved by the Chief of Engineers, and for the execution of these plans there is hereby authorized \$50,000.

RED-OUACHITA RIVER BASIN

The project for local flood protection on the Ouachita River near Calion, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 427, Seventy-sixth Congress, first session, at an estimated cost of \$50,000.

The project for local protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby amended to add and authorize the following: Levee enlargement, new levee extension, and the construction of appurtenant drainage structures on the left bank of the Red River opposite Alexandria for the protection of Pineville, Louisiana, and vicinity, at an estimated cost to the United States of \$159,100, subject to the provisions of section 3 of the Act approved June 22, 1936.

The project for local flood protection on the Red River in Grant Parish below Colfax, Louisiana, authorized by the Act approved June 28, 1938, is hereby further amended to include and to authorize the following: Levees and appurtenant drainage works on the left bank of the Red River and along Bayous Darrow and Rigolette, the improvement of the channel of Bayou Rigolette, and the separation of the channels of Bayous Darrow and Rigolette in the Aloha-Rigolette area, Grant and Rapides Parish, Louisiana, all at an estimated cost to the United States of \$914,500, subject to the provisions of section 3 of the Flood Control Act approved June 22, 1936.

The project for the Bayou Bodcau Reservoir, Louisiana, authorized by the Act of June 22, 1936, as modified by the Acts of June 28, 1938, and June 28, 1939, is hereby further modified to include and to authorize channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou at an estimated cost of \$198,000, subject to the provisions of Section 3 of the Flood Control Act approved June 22, 1936.

The plan for the Narrows Reservoir for flood control and other purposes on the Little Missouri River, Arkansas, and for local flood protection on the main river below Murfreesboro and on the Terre Noire and Ozan Creeks, substantially in accordance with recommendation of the Chief of Engineers in House Document Numbered 837, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$3,000,000 for initiation and partial accomplishment of the project.

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$24,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the White River Basin in Missouri and Arkansas, including the projects for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 917, Seventy-sixth Congress, third session, and the modifications in the Norfolk Reservoir project recommended by the Chief of Engineers in House Document Numbered 290, Seventy-seventh Congress, first session.

The projects for local flood protection on the White River, on the east side between Augusta and Clarendon, Arkansas, and at the town of De Valls Bluff, Arkansas, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 98, Seventy-sixth Congress, first session, at an estimated cost of \$2,847,500.

ARKANSAS RIVER BASIN

The general comprehensive plan for flood control and other purposes, approved by the Act of June 28, 1938, for the Arkansas River Basin, is hereby modified to include the reservoirs in the Grand (Neosho) River Basin in Oklahoma and Missouri, and in the Verdigris River Basin in Kansas, in accordance with the recommendations of the Chief of Engineers in House Documents Numbered 107 and 440 of the Seventy-sixth Congress, first session. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$29,000,000 for the prosecution of said comprehensive plan.

The project for local flood protection on the Salt Fork of the Arkansas River in the vicinity of Cherokee, Oklahoma, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 480, Seventy-sixth Congress, second session, at an estimated cost of \$800,000.

The project for local flood protection along the south bank of the Arkansas River between Little Rock and Pine Bluff, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 718, Seventy-sixth Congress, third session, at an estimated cost of \$641,000, with such modifications as may be advisable in the discretion of the Secretary of War and the Chief of Engineers.

The project for local flood protection along the north bank of the Arkansas River in the Crawford County Levee District, Arkansas, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 720, Seventy-sixth Congress, third session, at an estimated cost of \$284,000.

The project for local flood protection on both sides of the Arkansas River in the immediate vicinity of Tulsa and West Tulsa, Oklahoma, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 157, Seventy-seventh Congress, first session, at an estimated cost of \$513,000.

OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$45,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Ohio River Basin, modified to include the Allegheny Reservoir project in accordance with the recommendation of the Chief of Engineers in House Document Numbered 300, Seventy-sixth Congress, first session.

The project for local flood protection on the Licking River at Salyersville, Kentucky, is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 261, Seventy-seventh Congress, first session, at an estimated cost of \$174,000.

TENNESSEE RIVER BASIN

The projects for local flood protection on the Tennessee River at Chattanooga, Tennessee, and Rossville, Georgia, are hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 479, Seventy-sixth Congress, second session, at an estimated cost of \$13,500,000.

UPPER MISSISSIPPI RIVER BASIN

The project adopted by the Act of June 22, 1936, for the Dry Run Reservoir near Decorah, Iowa, is hereby modified to authorize the Chief of Engineers to modify the project so as to provide protection by diversion of floodwaters in accordance with revised plans now on file in his office, at an estimated Federal cost of \$460,000.

SEBEWAING RIVER

The project for local flood protection on the Sebewaing River in the vicinity of Sebewaing, Michigan, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 286, Seventy-sixth Congress, first session, at an estimated cost of \$250,000.

MISSOURI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$7,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Missouri River Basin, including the project for the Harlan County Reservoir on the Republican River, Nebraska, recommended by the Chief of Engineers in House Document Numbered 842, Seventy-sixth Congress, third session, and such other supplemental flood-control works on the Republican River as the Secretary of War and the Chief of Engineers may find advisable.

The comprehensive plan for the improvement of Cherry Creek and tributaries, Colorado, for flood control and other purposes in accordance with the recommendations of the Chief of Engineers in House Document Numbered 426, Seventy-sixth Congress, first session, is approved and there is hereby authorized \$3,000,000 for the initiation and partial accomplishment of the project.

The project for local flood protection on the Platte River in the vicinity of Schuyler, Nebraska, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 250, Seventy-sixth Congress, first session, at an estimated cost of \$63,000.

The project for local flood protection on the Missouri River and Indian Creek at Council Bluffs, Iowa, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 577, Seventy-sixth Congress, third session, at an estimated cost of \$18,000.

The project for the improvement of Fall River and tributaries, South Dakota, for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 655, Seventy-sixth Congress, third session, at an estimated cost of \$1,050,000.

The project for flood protection in the vicinity of Sioux City, Iowa, and along both banks of the Missouri River between Sioux City and Kansas City for flood control in accordance with the recommendation of the Chief of Engineers in House Document Numbered 821, Seventy-sixth Congress, third session, is approved and there is hereby authorized \$1,000,000 for the initiation and partial accomplishment thereof: *Provided*, That such project is hereby modified by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

SANTA ANA RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$2,500,000 for the prosecution of the projects approved in the Acts of June 22, 1936, and June 28, 1938, for flood control in the Santa Ana River Basin and for the protection of Orange County in California.

LOS ANGELES-SAN GABRIEL RIVER BASIN AND BALLONA CREEK

The general comprehensive plan for flood control and other purposes in the basins of the Los Angeles and San Gabriel Rivers and Ballona Creek as set forth in House Document Numbered 838, Seventy-sixth Congress, third session, is approved, and in addition to previous authorizations there is hereby authorized \$25,000,000 for the partial accomplishment of that plan.

SACRAMENTO-SAN JOAQUIN RIVER BASIN

The projects for the control of floods and other purposes in the Sacramento River, California, adopted by the Acts approved March 1, 1917, May 15, 1928, and August 26, 1937, are hereby modified substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 205, Seventy-seventh Congress, first session, at an estimated cost of \$10,500,000, and also modified to provide for channel clearing, rectification, snagging, and

bank protection on the Sacramento River and tributaries in Tehama County, and from Red Bluff southerly, at an additional estimated cost of \$150,000.

The project for the Fresno County Stream Group for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 845, Seventy-sixth Congress, third session, at an estimated cost of \$510,000.

UMPQUA RIVER BASIN

The project for improvement of the Umpqua River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 684, Seventy-sixth Congress, third session, at an estimated cost of \$176,000.

YAQUINA RIVER BASIN

The project for local flood protection on the Yaquina River in the Mill Four District, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 304, Seventy-seventh Congress, first session, at an estimated cost of \$72,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$11,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Willamette River Basin in Oregon.

The project for improvement of the Pudding River in Oregon for flood control is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 185, Seventy-sixth Congress, third session, at an estimated cost of \$62,000.

COLUMBIA RIVER BASIN

The project for local flood protection on the Touchet River at Dayton, Washington, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 662, Seventy-sixth Congress, third session, at an estimated cost of \$146,000.

The project for levees, channel enlargement, and channel rectification on Walla Walla River in the vicinity of Milton and Freewater, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 719, Seventy-sixth Congress, third session, and the project for the protection of the city of Walla Walla, Washington, authorized by the Act approved June 28, 1938, is hereby modified in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 719, Seventy-sixth Congress, third session, at an estimated cost of \$754,000.

The project for levees on the Cowlitz River, Washington, for local flood protection at Castle Rock, Washington, is hereby author-

ized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 721, Seventy-sixth Congress, third session, at an estimated cost of \$31,000.

The project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document Numbered 89, Seventy-seventh Congress, first session, at an estimated cost of \$34,000.

SEC. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on such drainage areas; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Barren River, Kentucky and Tennessee, with special reference to a dam in the vicinity of a site known as Barren No. 2.

Byram River and tributaries, Connecticut.

Blind Brook and tributaries, New York.

Mamaroneck and Sheldrake Rivers and their tributaries, New York.

Bronx River and tributaries, New York.

Hutchinson River and tributaries, New York.

Saw Mill River and tributaries, New York.

Garden Creek, Mathews County, Virginia.

Indian River, Upper Saint Johns River and Marsh, and North Fork, Saint Lucie River, and their tributaries, the Kissimmee River and its tributaries, Florida.

Red River in the vicinity of Shreveport, Louisiana, with a view to determining the advisability of providing bank-protection works.

Polecat Creek, Creek County, Oklahoma.

Walnut Creek, Love and Carter Counties, Oklahoma.

Rio Grande and tributaries, New Mexico.

Mimbres River and tributaries, New Mexico.

Pearl River, Mississippi.

Lake Pontchartrain, Louisiana, from the Orleans-Jefferson Parish line westward and northward to the vicinity of Frenier.

Black River, Catahoula and Concordia Parishes, Louisiana.

Doggy and Clear Creeks, tributaries of the Arkansas River, Oklahoma.

Salt Creek of the Arkansas River and tributaries, Osage County, Oklahoma.

Red River of the North Drainage Basin, Minnesota, South Dakota, and North Dakota.

Inlets and outlets to Lake Hendricks, South Dakota and Minnesota.

North Fork and South Fork of the Shoshone River and their tributaries, Wyoming.

Emery River and tributaries, Tennessee.

Redstone and Dunlap Creeks and tributaries, Pennsylvania.

West Fork River and tributaries, West Virginia, with a view to determining the advisability of constructing a system of multiple-use reservoirs.

Milwaukee River and tributaries, Wisconsin.

Little Calumet River and tributaries, Indiana.

Little Black River and tributaries, Michigan.

Sturgeon and Otter Rivers, and their tributaries, Michigan.

Cuyahoga River and tributaries, Ohio.

Big Sur River and Carmel River, and their tributaries, Monterey County, California.

Laguna Canyon, California.

All streams in San Diego County, California, flowing into the Pacific Ocean.

All streams in San Diego and Imperial Counties, California, flowing into the Salton Sea.

Coyote River and tributaries, California.

San Francisquito Creek, San Mateo and Santa Clara Counties, California.

Alhambra Creek and tributaries, California.

Matadero Creek, Santa Clara County, California.

Navato Creek and its tributaries, Marin County, California.

Petaluma Creek and tributaries, Sonoma County, California.

Guadalupe River and tributaries, California.

Silvies River and tributaries, Oregon.

Columbia River and tributaries, Washington, from the downstream point of Vancouver Lake to upstream point of Bachelor Island.

Salmon Creek, in the vicinity of Juneau, Alaska.

Yaguez, Estero, Portuguese, Bucana, Lapa, Guamani, Chico, Maunabo, Quebrada Arena, and Susua Rivers, and tributaries, Puerto Rico.

Creque Gut and Fair Plain Gut and their tributaries, Island of Saint Croix, and of Turpentine Run, and Crown Mountain water courses and their tributaries, Island of Saint Thomas, Virgin Islands.

SEC. 5. That the Secretary of War is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed \$1,000,000 for any one fiscal year to be expended in rescue work or in the repair or maintenance of any flood-control work threatened or destroyed by flood.

SEC. 6. That the provisions of the following Acts of Congress relating to river and harbor improvements are hereby made applicable to works of flood control heretofore or hereafter authorized: August 8, 1917, section 9 (40 Stat. 267); July 18, 1918, sections 5 and 6 (40 Stat. 911); and August 30, 1935, section 7 (49 Stat. 1048).

SEC. 7. That 25 per centum of all moneys received and deposited in the Treasury of the United States during any fiscal year on account of the leasing of lands acquired by the United States for flood control purposes shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such property is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such property is situated: *Provided*, That when such property is situated in more than one State or county the distributive share to each from the proceeds of such property shall be proportional to its area therein.

SEC. 8. Section 5 of the Act approved June 28, 1938 (52 Stat. 1215), is amended by striking out the words "in carrying out the purposes of this Act" and inserting in lieu thereof the words "in carrying out the purposes of the Act of June 22, 1936 (49 Stat. 1570), as amended and supplemented"; and by adding at the end of said section the following sentence: "The provisions of this section shall be applicable to any funds heretofore appropriated for the prosecution by the Secretary of Agriculture of works of improvement for measures of run-off and waterflow retardation and soil-erosion prevention upon watersheds."

SEC. 9. That Section 2 of the Flood Control Act of August 28, 1937, as amended is hereby further amended to read as follows:

"That the Secretary of War is hereby authorized to allot not to exceed \$500,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year."

SEC. 10. That the sum of \$275,000,000 is hereby authorized to be appropriated for carrying out the improvements herein, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examinations and surveys provided for in this Act and any other Acts of Congress, to be prosecuted by said departments. There is also hereby authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938, and which the Department is not otherwise authorized to undertake, such additional sums, not to exceed \$5,000,000, as may be necessary for that purpose. All appropriations necessary for operation and maintenance of flood-control works authorized by law to be operated and maintained by the United States are hereby authorized.

Approved, August 18, 1941.

